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TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Order No. E-10788; Docket No. 4870 etc.]

PART 207—CHARTER TRIPS AND SPECIAL SERVICES

TEMPORARY AUTHORIZATION FOR NATIONAL DEFENSE TRANSPORTATION; ORDER EXTENDING EXEMPTIONS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 27th day of November 1956.

In the matter of military exemptions for Certificated Air Carriers, Certificated Alaskan Air Carriers, Certificated Cargo Carriers, Large Irregular, Supplemental, and Irregular Transport Carriers, Docket No. 4870 et al.

The Board by Order No. E-9756, November 18, 1955, extended until December 1, 1956, the authorizations granted by Board Orders Nos. E-6933, E-6934 and E-6935, dated October 31, 1952, and Board Order No. E-6740, dated August 27, 1952, which respectively permitted Certificated Air Carriers (other than Alaskan), Certificated Air Cargo Carriers, Certificated Alaskan Air Carriers, and Large Irregular and Irregular Transport Carriers to engage in certain military charter operations not otherwise permitted by the Civil Aeronautics Act of 1938, as amended, the Board's Economic Regulations, or individual exemption authorizations.

Applications for further extension of their exemption authority have been filed by Seaboard & Western Airlines, Inc., on September 14, 1956; Flying Tiger Line, Inc., on October 2, 1956; Slick Airways, Inc. on October 5, 1956; Alaska Airlines, Inc., on October 10, 1956; Alaska Coastal Airlines, Cordova Airlines, Inc., Northern Consolidated Airlines, Inc., and Wien Alaska Airlines, Inc., on October 26, 1956; the Aircoach Transport Association, Inc. (ACTA) on behalf of its members on October 31, 1956; and the Independent Military Air Transport Association (IMATA) on behalf of its members, on October 31, 1956.

In support of the aforesaid applications, the carriers generally allege that

the circumstances which warranted the grant of the present exemption authorizations still exist and that the said exemptions should be extended until December 1, 1957, or later.

The Department of Defense, by letter of November 1, 1956, has advised the Board that the aforesaid exemptions have resulted in facilitation of the movement of military traffic and the realization of certain economies, and that the Department would benefit substantially from their extension.

ACTA also filed on August 2, 1956, a separate application, assigned Docket 8152, in which it requests military exemptions for Supplemental Carriers since it interprets the Board's Order E-9744 in the Large Irregular Air Carrier Investigation as taking the new class of carriers therein established, the Supplemental Air Carriers, out of the scope of the military exemption authorizations of Order E-9756. On the other hand, IMATA, by letter to the Board, dated August 14, 1956, urges that the military exemption authorization to the Large Irregulars already applies to the Supplemental Air Carriers.

A question has also arisen as to the applicability of the military exemptions to intra-Alaskan operations by large Irregular Carriers, Irregular Transport Carriers and Supplemental Air Carriers. More specifically, we have received inquiries as to whether these carriers can carry military furlough traffic within Alaska; also as to whether they can carry military plane-load traffic within Alaska under contracts with a government contractor.

At the outset, we wish to make clear that the circumstances which warranted grant of the military exemptions authorized by Orders Nos. E-6933, E-6934, E-6935, E-6740, and E-9756 continue to exist and that therefore, these exemptions should be renewed for another year, or until December 1, 1957. Accordingly, we find that the enforcement of the provisions of section 401 of the Act, applicable Economic Regulations and Orders to the extent that they would otherwise prevent the air transportation

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authorized herein, would be an undue burden upon the affected carriers by reason of the unusual circumstances affecting such operations and is not in the public interest.

It is not our intention that an air carrier holding economic authority as a Supplemental Air Carrier pursuant to Board decision in Docket No. 5132 et al. be precluded from military exemptions now in effect or which are granted herein. We will therefore dismiss ACTA's application (Docket No. 8152) and provide that every air carrier holding economic authority from the Board as a Large Irregular Carrier, Irregular Transport Carrier, Supplemental Air Carrier, and/or other classification of air carrier established by Board decision in Docket No. 5132 et al. receive military exemptions.

In Order No. E-5166, adopted March 2, 1951, we pointed out that the exemption authority granted therein to irregular carriers for the movement of military furlough traffic would not permit an individual carrier to engage in operations which in and of themselves violate the limitations of its individual operating authority. Inasmuch as no irregular carrier is presently authorized to operate within Alaska, it follows that the present

military exemption authority does not permit such carriers to carry military furlough traffic within Alaska. We see no reason for expanding this authority herein. On the other hand, no similar restriction exists or should be imposed on the carriage of plane-load military traffic by such carriers within Alaska.

As to carriage of plane-load-military traffic by irregulars under contract with a government contractor, we cannot find that Order No. E-9756 was intended to extend exemptions to operations performed under contracts with government contractors except in the case of Certificated Alaskan Air Carriers. We do not believe it is in the public interest at this time to enlarge this area of permissible exempted operations.

Accordingly, it is ordered, That:

1. The effectiveness of § 207.11 of the Economic Regulations, which provides that the limitations of §§ 207.5 to 207.10, inclusive, shall not apply to or in respect of charter trips performed pursuant to contracts with any department of the Defense Department, be and it hereby is extended until December 1, 1957, unless sooner revoked;

2. All air carriers holding certificates of public convenience and necessity authorizing the air transportation of cargo only be and they hereby are exempted from the provisions of section 401 of the act insofar as such provisions would otherwise prevent such carriers from engaging in interstate, overseas, and foreign air transportation of persons pursuant to contracts with any department of the Defense Department;

3. All certificated Alaskan air carriers be and they hereby are exempted from the provisions of section 401 of the act insofar as such provisions would otherwise prevent such certificated Alaskan carriers from engaging in the interstate air transportation of persons and property within the Territory of Alaska (a) pursuant to contracts between such air carriers and any department of the Defense Department, or (b) pursuant to requests of any department of the Defense Department in connection with contracts between other persons and such department;

4. Every air carrier holding economic authority as a Large Irregular Carrier, Irregular Transport Carrier, Supplemental Air Carrier, and/or other classification of air carrier established by Board decision in Docket No. 5132 et al. be and it hereby is exempted from the provisions of section 401 of the act, Part 291 of the Economic Regulations, its respective individual exemption order, interim operating authorization and/or similar exemption authority issued hereafter in Docket No. 5132 et al. to the extent necessary to permit such carrier (a) to engage in interstate, overseas, or foreign air transportation of persons and property without limitation as to frequency and/or regularity pursuant to contracts with any department of the Defense Department calling for the provision of air services in plane-load capacities; and (b) subject to all other applicable frequency and/or regularity restrictions, to engage in overseas and interstate air transportation, except within

the Territory of Alaska, of uniformed military personnel traveling at their own expense to or from military bases designated by departments of the Defense Department where such transportation is arranged through the representatives of two or more such carriers at a military installation even though the total operations performed by a group of carriers so represented may exceed the limitations as to frequency and/or regularity imposed by their respective authorizations;

5. The exemption authority granted in paragraph 4 above shall apply only to an air carrier which holds economic operating authority as a Large Irregular Carrier, Irregular Transport Carrier, Supplemental Air Carrier, and/or other classification of air carrier established by Board decision in Docket No. 5132 et al. which economic authority is effective at the time it performs the operations described in said paragraph;

6. The authorization granted in paragraph 4 (a) above shall be effective with respect to each carrier only if such carrier is awarded a contract or contracts by a department of the Defense Department for the aforementioned air transportation, and then only with respect to the particular transportation provided for by such contract;

7. The authority granted herein by paragraphs 2, 3 and 4 above shall expire on December 1, 1957, unless sooner revoked;

8. ACTA's application in Docket No. 8152 be and it hereby is dismissed;

9. Any prayer for relief in Docket No. 4870 not granted herein be and it hereby is denied;

10. This order may be amended or revoked at any time in the discretion of the Board without hearing.

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 56-9873; Filed, Nov. 30, 1956; 8:51 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation

PART 418—WHEAT CROP INSURANCE

PART 420—MULTIPLE CROP INSURANCE

ACTION TAKEN WITH RESPECT TO DURUM WHEAT

The Board of Directors of the Federal Crop Insurance Corporation, by resolution; adopted at its Board meeting of October 31, 1956, and approved by the Assistant Secretary of Agriculture on November 9, 1956:

(1) Rescinded, effective beginning with the 1957 crop year, resolutions adopted at Board of Directors' meetings held on November 9, 1954, December 7, 1954, and October 4, 1955 (19 F. R. 8233; 20 F. R. 8071), by which limitations were placed on insuring durum wheat, other than red durum, in the States of North Dakota, South Dakota, Montana, and Minnesota, and

¹ By irregular carrier we mean carrier authorized to operate pursuant to Part 291 of the Economic Regulations as a Large Irregular Carrier, to an individual exemption order as an Irregular Transport Carrier, or to an interim operating authorization as a Supplemental Carrier.

(2) Directed the Manager of the Corporation to notify insureds affected, under the provisions of the applicable regulations, of the changes in their contracts made necessary by the adoption of the resolution.

The resolution was adopted after the Board determined that the limitations placed on insuring durum wheat by the rescinded resolutions were no longer necessary due to the improved situation with respect to insuring durum wheat, and is based on authority contained in the Federal Crop Insurance Act, as amended (7 U. S. C. 1501-1519).

(Sec. 506, 516, 52 Stat. 73, as amended, 77, as amended; 7 U. S. C. 1506, 1516)

[SEAL] F. N. McCARTNEY,
Secretary,
Federal Crop Insurance Corporation.

[P. R. Doc. 56-9845; Filed, Nov. 30, 1956;
8:46 a. m.]

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

[1023-Allotments—(Cigar-filler and Binder Tobacco-57)-1]

PART 723—CIGAR-FILLER AND BINDER TOBACCO

MARKETING QUOTA REGULATIONS, CIGAR-FILLER AND BINDER TOBACCO; 1957-58 MARKETING YEAR

This amendment is based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-15) and Public Law 540, 84th Congress and is made for the purpose of amending the definition of cropland as now defined in paragraph (g) of § 723.812 to include the provisions of section 112 (1) of Public Law 540.

Since tobacco farmers are making their 1957 farming plans and need to know the 1957 tobacco acreage allotments for their farms as soon as possible, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

Section 723.812, paragraph (g), is hereby amended by the addition, at the end thereof, of the following sentence: "Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into under the Conservation Reserve Program by reason of the establishment and maintenance of vegetative cover or water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses under such contract."

(Sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interprets or applies sec. 313, 52 Stat. 47, as amended, 7 U. S. C. 1313)

Done at Washington, D. C., this 28th day of November 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[P. R. Doc. 56-9867; Filed, Nov. 30, 1956;
8:49 a. m.]

[1023-Allotments—(Burley, Flue-cured, Fire-cured, Dark Air-cured and Virginia Sun-cured Tobacco-57)-1]

PART 725—BURLEY, FLUE-CURED, FIRE-CURED; DARK AIR-CURED AND VIRGINIA SUN-CURED TOBACCO

MARKETING QUOTA REGULATIONS, BURLEY, FLUE-CURED, FIRE-CURED, DARK AIR-CURED AND VIRGINIA SUN-CURED TOBACCO; 1957-58 MARKETING YEAR

This amendment is based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-15) and Public Law 540, 84th Congress and is made for the purpose of amending the definition of cropland as now defined in paragraph (g) of § 725.812 to include the provisions of section 112 (1) of Public Law 540.

Since tobacco farmers are making their 1957 farming plans and need to know the 1957 tobacco acreage allotments for their farms as soon as possible, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

Section 725.812, paragraph (g), is hereby amended by the addition, at the end thereof, of the following sentence: "Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into under the Conservation Reserve Program by reason of the establishment and maintenance of vegetative cover or water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses under such contract."

(Sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interprets or applies sec. 313, 52 Stat. 47, as amended, 7 U. S. C. 1313)

Done at Washington, D. C., this 28th day of November 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[P. R. Doc. 56-9869; Filed, Nov. 30, 1956;
8:50 a. m.]

[1023-Allotments—(Maryland Tobacco-57)-1]

PART 727—MARYLAND TOBACCO

MARKETING QUOTA REGULATIONS, MARYLAND TOBACCO; 1957-58 MARKETING YEAR

This amendment is based on the marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, applicable to tobacco (7 U. S. C. 1311-15) and Public Law 540, 84th Congress, and is made for the purpose of amending the definition of cropland as now defined in paragraph (g) of § 727.812 to include the provisions of section 112 (1) of Public Law 540.

Since tobacco farmers are making their 1957 farming plans and need to know the 1957 tobacco acreage allotments for their farms as soon as possible, it is hereby found and determined that compliance with the notice, public procedure and 30-day effective date provisions of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

Section 727.812, paragraph (g), is hereby amended by the addition, at the end thereof, of the following sentence: "Insofar as the acreage of cropland on the farm enters into the determination of the farm acreage allotment, the cropland acreage on the farm shall not be deemed to be decreased during the period of any contract entered into under the Conservation Reserve Program by reason of the establishment and maintenance of vegetative cover or water storage facilities, or other soil-, water-, wildlife-, or forest-conserving uses under such contract."

(Sec. 375, 52 Stat. 66 as amended; 7 U. S. C. 1375. Interprets or applies sec. 313, 52 Stat. 47, as amended, 7 U. S. C. 1313)

Done at Washington, D. C., this 28th day of November 1956. Witness my hand and the seal of the Department of Agriculture.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[P. R. Doc. 56-9868; Filed, Nov. 30, 1956;
8:49 a. m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

[Sugar Regs. 814.15, Amdt. 4; 814.16, Amdt. 3]

PART 814—ALLOTMENT OF SUGAR QUOTAS QUOTAS AND DIRECT CONSUMPTION PORTION; PUERTO RICO, 1956

Basis and purpose. These amendments are issued under section 205 (a) of the Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of further amending Sugar Regulations 814.15 and 814.16, as amended (20 P. R. 9901; 21 P. R. 105, 5819, 7207, 8794) which established allotments of the 1956 mainland and local quotas for Puerto Rico

and the direct-consumption portion of the mainland quota. Revision of Sugar Regulation 814.15, Amendment 3, and Sugar Regulation 814.16, Amendment 2, is necessary to: (1) Give effect to Amendment 8 of Sugar Regulation 811 (21 F. R. 9201) which increased the mainland quota for the area to 1,123,926 short tons, raw value, and the direct-consumption portion thereof to 131,159 short tons, raw value, as a result of an increase of 100,000 short tons, raw value, in United States sugar requirements, and further increased the mainland quota for the area by 792 short tons, raw value, as a result of prorating a 3,326 short tons, raw value, deficit in the Virgin Islands quota and (2) prorate a 2,174 short tons, raw value, deficit in mainland allotments declared by five allottees and a 183 short tons, raw value, deficit in the allotment of the direct-consumption portion of the mainland quota declared by one allottee, to other allottees able to utilize additional allotments.

The revised allotments set forth herein are established in accordance with findings heretofore made by the Secretary in the course of this proceeding (20 F. R. 9901; 21 F. R. 105, 7207), which provide that this order shall be revised without further notice or hearing for the purpose of (1) adjusting allotments to take account of any change in the quota for the area resulting from (a) any change in sugar requirements for continental United States and (b) the proration of a deficit in the quota for another supply area, and (2) allotting any deficit in the allotment for any allottee.

Because of the limited time remaining in the quota year to which the allotments apply, it is imperative that these amendments become effective at the earliest possible date in order to permit the continued orderly marketing of sugar. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and, consequently, this amendment shall be effective when filed with the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act, it is hereby ordered, that Sugar Regulations 814.15, as amended, and 814.16, as amended, are hereby further amended to read as follows:

§ 814.15 Allotment of 1956 sugar quotas for Puerto Rico—(a) Allotments. The 1956 sugar quota for Puerto Rico for consumption in the continental United States (including raw sugar to be further processed and marketed within the direct-consumption portion of such quota) and the 1956 sugar quota for local consumption in Puerto Rico are hereby allotted to the following processors in quantities which appear in columns (1) and (2) opposite their respective names:

Processor	Short tons	Raw value
	Mainland allotment	Local allotment
Antonio Roig, Sucesores, S. en C.	29,702	21,608
Asociacion Azucarera Cooperativa	33,905	000
Central Aguirre Sugar Co., a trust	114,579	1,600
Central Coloso, Inc.	65,042	451
Central Eureka, Inc.	41,242	606
Central Gummani, Inc.	13,193	600
Central Igualdad, Inc.	29,243	16,971
Central Junita, Inc.	44,209	2,217
Central Mercedita, Inc.	65,843	25,472
Central Monserrate, Inc.	26,926	97
Central San Francisco	8,813	2,159
Central San Vicente, Inc.	64,493	55
Compania Azucarera del Camuy, Inc.	14,715	000
Compania Azucarera del Ton.	32,876	000
Cooperativa Azucarera Los Canos	41,946	000
Eastern Sugar Associates, a trust	111,433	14,084
Fajardo Sugar Company	113,894	14
Land Authority of Puerto Rico	78,742	600
Mario Mercado e Hijos	32,928	501
Meyaguer Sugar Company, Inc.	8,359	120
Plata Sugar Company	54,578	278
Soller Sugar Company	13,007	000
South Porto Rico Sugar Co. of Puerto Rico	87,043	15,657
All other persons	000	000
Total	1,124,718	100,000

§ 814.16 Allotment of the direct-consumption portion of 1956 sugar quota for Puerto Rico—(a) Allotments. The direct-consumption portion of the 1956 sugar quota for Puerto Rico, amounting to 131,159 short tons, raw value, is hereby allotted as follows:

Allottee:	Direct-consumption allotment, short tons, raw value
Central Aguirre Sugar Co., a trust	6,029
Central Roig Refining Co.	20,359
Central San Francisco	1,309
Porto Rican American Sugar Ref. Inc.	81,945
Western Sugar Refining Co.	20,767
All other persons (raw sugar only)	150
Total	131,159

(b) *Restrictions on marketing.* . . .

(3) During the calendar year 1956 no person shall bring into the continental United States direct-consumption sugar from Puerto Rico which is principally not of crystalline structure after 5,126 short tons, raw value, of such sugar has been brought in within the allotments established in paragraph (a) of this section.

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interpret or apply secs. 205, 209; 61 Stat. 926, 928; 7 U. S. C. 1115, 1119)

Issued at Washington, D. C., this 29th day of November 1956.

[SEAL] WALTER C. BERGER,
Administrator, Commodity
Stabilization Service.

[F. R. Doc. 56-6901; Filed, Nov. 29, 1956; 2:13 p. m.]

[Sugar Reg. 814.23, Amdt. 4]

PART 814—ALLOTMENT OF SUGAR QUOTAS MAINLAND CANE SUGAR AREA, 1956

Basis and purpose. This amendment is issued under section 205 (a) of the

Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of further amending Sugar Regulation 814.23 (20 F. R. 9851, 21 F. R. 5343, 6081, 9052) which established allotments of the 1956 sugar quota for the Mainland Cane Sugar Area totaling 586,150 short tons, raw value. This amendment is necessary to allot the increase in quota for the area established by Sugar Regulation 811, Amendment 8 (21 F. R. 9201) which increased continental sugar requirements from 8,775,000 to 8,875,000 short tons, raw value, and which declared and prorated an additional deficit in the 1956 quota for the Virgin Islands of 178 tons totaling 3,326 short tons, raw value. The increase in requirements increased the area quota by 6,887 tons and of the additional deficit prorated, 22 tons were prorated to the Mainland Cane Sugar Area. Such increases in the area quota totaling 6,909 tons, result in a total quota of 593,059 tons to be allocated by this order.

It was found after notice and public hearing that this order shall be revised, without further notice or hearing, for the purpose of adjusting allotments to take account of any change in the quota for the area resulting from (1) any change in sugar requirements for the continental United States and (2) the proration of a deficit in the quota for another supply area.

The allotments set forth herein have been established in accordance with findings heretofore made by the Secretary in the course of this proceeding (21 F. R. 5343, 6081).

Because of the limited time remaining in the quota year to which the allotments apply, it is imperative that this amendment become effective at the earliest possible date in order to permit the continued orderly marketing of sugar. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and consequently this amendment shall be effective when filed with the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act: It is hereby ordered, that § 814.23, as amended, be further amended to read as follows:

§ 814.23 Allotment of the 1956 sugar quota for the Mainland Cane Sugar Area—(a) Allotments. The 1956 sugar quota for the Mainland Cane Sugar Area of 593,059 short tons, raw value, is hereby allotted to the following processors in the quantities which appear opposite their respective names:

Processors:	Allotments (short tons, raw value)
Albania Sugar Co.	6,647
Alice C. Plantation & Refinery, Inc.	7,809
Alma Plantation, Ltd.	7,513
J. Aron & Company, Inc.	13,264
Billeaud Sugar Factory	7,916
Breaux Bridge Sugar Coop., Inc.	7,253
J. M. Burguiera Co., Ltd., The	6,244
Burton-Sutton Oil Co., Inc.	6,677
Caire & Craugnard	3,291
Caldwell Sugars Coop., Inc.	12,114
Catherine Sugar Co., Inc.	6,938

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	Allotments (short tons, raw value)
Processors—Continued	
Columbia Sugar Co.	5,313
Cora-Texas Manufacturing Co., Inc.	2,413
Dugas & LeBlanc, Ltd.	11,171
Duke & Bourgeois Sugar Co., Inc.	8,550
Eruth Sugar Co., Ltd.	4,839
Evan Hall Sugar Coop., Inc.	21,299
Evangeline Pepper & Food Products, Inc.	4,957
Fellsmere Sugar Producers Assoc.	8,450
Frisco Cane Co., Inc.	901
Glenwood Coop., Inc.	14,077
Godchaux Sugars, Inc.	34,724
Helvetia Sugar Coop., Inc.	6,884
Iberia Sugar Coop., Inc.	13,104
LaFourche Sugar Co.	14,960
Harry L. Lewis & Co., Inc.	9,754
Lever-St. John, Inc.	8,675
Loisel Sugar Co., Inc.	5,390
Louisiana State Penitentiary	3,712
Lula Factory, Inc.	11,486
Meeker Sugar Coop., Inc.	3,439
Milliken & Farwell, Inc.	12,357
Okolanta Sugar Refinery, Inc.	11,966
M. A. Patout & Son, Ltd.	7,989
Poplar Grove Pkg. & Ref. Co., Inc.	6,309
St. James Sugar Coop., Inc.	12,363
St. Mary Sugar Coop., Inc.	12,843
Slack Bros., Inc.	3,202
Smedes Bros., Inc.	4,584
South Coast Corp., The	43,440
Southdown Sugars, Inc.	39,948
Sterling Sugars, Inc.	11,824
J. Supple's Sons Pkg. Co., Ltd.	4,406
United States Sugar Corp.	108,073
Valentine Sugars, Inc.	12,233
Vermillion Sugar Co., Inc.	2,289
Vida Sugars, Inc.	4,477
A. Wilbert's Sons Lbr. & Sh. Co.	8,817
Young's Industries, Inc.	6,000
Louisiana State University	100
Any other person	000
Total	593,059

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, 928; 7 U. S. C. 1115, 1120)

Done at Washington, D. C., this 29th day of November 1956.

[SEAL] WALTER C. BERGER,
Administrator, Commodity
Stabilization Service.

[F. R. Doc. 56-9902; Filed, Nov. 29, 1956; 2:13 p. m.]

[Sugar Reg. 814.32, Amtd. 4]

PART 814—ALLOTMENT OF SUGAR QUOTAS

DOMESTIC BEET SUGAR AREA, 1956

Basis and purpose. This amendment is issued under section 205 (a) of the Sugar Act of 1948, as amended (hereinafter called the "act"), for the purpose of further amending Sugar Regulation 814.32 (20 F. R. 9853; 21 F. R. 2589, 6083, 9053) which established allotments of the 1956 sugar quota for the Domestic Beet Sugar Area totaling 1,904,878 short tons, raw value. This amendment is necessary to allot the quota for the area established by Sugar Regulation 811, Amendment 8 (21 F. R. 9201). Such quota, based on sugar requirements of 8,875,000 short tons, raw value, and a deficit in the 1956 sugar quota for the Virgin Islands of 3,326 short tons, raw value, totals 1,927,333 short tons, raw value. Thus, the quantity to be allotted in this amendment is 22,455 short tons,

raw value, greater than the quota previously allotted.

This amendment is also necessary to prorate a deficit of 12,462 short tons, raw value, in the allotments of seven allottees under this order. On the basis of advice from each allottee, the Secretary of Agriculture has determined that seven allottees are unable to fully utilize their respective allotment of the Domestic Beet Sugar Area quota and that there is a deficit in the allotments of such allottees amounting to 12,462 short tons, raw value. Thus, a deficit of 12,462 short tons, raw value, is declared and prorated to other allottees who have indicated they can effectively use additional allotments.

The revised allotments set forth herein are established in accordance with findings heretofore made by the Secretary in the course of this proceeding (21 F. R. 2589, 6083), which provide that this order shall be revised, without further notice or hearing, for the purpose of (1) adjusting allotments to take account of any change in the quota for the area resulting from (a) any change in sugar requirements for continental United States, and (b) the proration of a deficit in the quota from another supply area, and (2) allotting any deficit in the allotment for any allottee.

Because of the limited time remaining in the quota year to which the allotments apply, it is imperative that this amendment become effective at the earliest possible date in order to permit the continued orderly marketing of sugar. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237) is impracticable and contrary to the public interest and consequently this amendment shall be effective when filed with the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by section 205 (a) of the act; it is hereby ordered, that § 814.32, as amended, be further amended to read as follows:

§ 814.32 *Allotment of the 1956 sugar quota for the Domestic Beet Sugar Area—(a) Allotments.* The 1956 sugar quota for the Domestic Beet Sugar Area of 1,927,333 short tons, raw value, is hereby allotted to the following processors in short tons, raw value, equivalent to the quantities expressed in hundredweight refined beet sugar, which appear opposite their respective names:

	Allotments (hundredweight, refined sugar)
Amalgamated Sugar Co., The	4,574,177
American Crystal Sugar Co.	5,403,239
Buckeye Sugars, Inc.	172,362
Franklin County Sugar Co.	171,000
Garden City Co., The	202,776
Great Western Sugar Co., The	7,631,463
Holly Sugar Corp.	6,014,100
Layton Sugar Co.	176,391
Menominee Sugar Co.	119,030
Michigan Sugar Co.	1,410,000
Monitor Sugar Div. of Robt. Gage Coal Co.	625,215
National Sugar Manufacturing Co., The	62,105
Northern Ohio Sugar Co.	456,906
Spreckels Sugar Co.	3,911,053

	Allotments (hundredweight, refined sugar)
Superior Sugar Refining Co.	89,794
Union Sugar Div. of Consolidated Foods Corp.	1,500,000
Utah-Idaho Sugar Co.	3,505,305
Any other person	000
Total	36,024,916

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies sec. 205, 209; 61 Stat. 926, 928; 7 U. S. C. 1115, 1120)

Done at Washington, D. C., this 29th day of November 1956.

[SEAL] WALTER C. BERGER,
Administrator, Commodity,
Stabilization Service.

[F. R. Doc. 56-9900; Filed, Nov. 29, 1956; 2:13 p. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Navel Orange Reg. 94]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.394 *Navel Orange Regulation 94—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914; 21 F. R. 4707), regulating the handling of navel oranges grown in Arizona and designated part of California, effective September 22, 1953, under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Navel Orange Administrative Committee held an open meeting on November 29, 1956, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information

and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective date hereof.

(b) *Order.* (1) The quantity of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a. m., P. s. t., December 2, 1956, and ending at 12:01 a. m., P. s. t., December 9, 1956, is hereby fixed as follows:

- (i) District 1: 924,000 cartons;
 - (ii) District 2: 28,600 cartons;
 - (iii) District 3: 115,500 cartons;
 - (iv) District 4: Unlimited movement.
- (2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.

(3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 30, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-9833; Filed, Nov. 30, 1956;
11:15 a. m.]

PART 919—MILK IN SOUTHWEST KANSAS MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "act", and of the order, as amended (7 CFR Part 919), regulating the handling of milk in the Southwest Kansas marketing area, hereinafter referred to as the "order", it is hereby found that:

(a) The provision of § 919.51 (a) limiting the increase of the Class I price by 25 cents to the months of September, October, and November 1956 will not tend to effectuate the declared policy of the act during the month of December 1956.

(b) Notice of proposed rule making, public procedure thereon, and 30 days prior notice to the effective date hereof are found to be impracticable, unnecessary and contrary to the public interest in that (1) the issuance of this suspen-

sion order is necessary to reflect current marketing conditions and facilitate, promote and maintain the orderly marketing of milk produced for the said marketing area; (2) unless this suspension order is effective for December 1956, there will occur a substantial drop in the Class I price; (3) in view of the extreme drought conditions, such a drop in price would seriously curtail milk production; (4) this suspension order has been requested by a substantial majority of the producers whose milk is regulated by the order and has not been opposed by handlers of most of the milk regulated by the order; (5) this suspension order does not require of persons affected substantial or extensive preparation prior to its effective date; and (6) the time intervening between the date of this suspension order and its effective date affords persons affected a reasonable time to prepare for its effective date.

It is therefore ordered, That the following provision be and hereby is suspended for the month of December 1956.

In § 919.51 (a) the words "September, October, and November".

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 27th day of November 1956.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 56-9846; Filed, Nov. 30, 1956;
8:47 a. m.]

[Orange Reg. 305]

PART 933—ORANGES, GRAPEFRUIT, AND TANGERINES GROWN IN FLORIDA

LIMITATION OF SHIPMENTS

§ 933.814 *Orange Regulation 305*—(a) Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of all Florida oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the cir-

cumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 3, 1956. Shipments of all oranges, including Temple oranges, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until December 3, 1956; the recommendation and supporting information for continued regulation subsequent to December 2, 1956, were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 27, 1956; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of all oranges, including Temple oranges, and compliance with this section, will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., December 3, 1956, and ending at 12:01 a. m., e. s. t., January 7, 1957, no handler shall ship:

(i) Any oranges, except Temple oranges, grown in the State of Florida, which do not grade at least U. S. No. 1 Bronze;

(ii) Any oranges, except Temple oranges, grown in the State of Florida, which are of a size smaller than a size that will pack 252 oranges, packed in accordance with the requirements of a standard pack, in a standard 1½ bushel nailed box; or

(iii) Any Temple oranges, grown in the State of Florida, which are of a size smaller than 2½ inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the United States Standards for Florida Oranges and Tangelos (§ 51.1140 to 51.1186 of this title).

(2) As used herein, the terms "handler," "ship," and "Growers Administrative Committee" shall each have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1 Bronze," "standard pack," and "standard 1½ bushel nailed box" shall have the same meaning as when used in the United States Stand-

ards for Florida Oranges and Tangelos (§§ 51.1140 to 51.1186 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 28, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-9897; Filed, Nov. 30, 1956;
8:52 a. m.]

[Grapefruit Reg. 253]

**PART 933—ORANGES, GRAPEFRUIT, AND
TANGERINES GROWN IN FLORIDA**

LIMITATION OF SHIPMENTS

§ 933.815 *Grapefruit Regulation 253—*
(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective not later than December 3, 1956. Shipments of grapefruit, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order, and will so continue until December 3, 1956; the recommendation and supporting information for continued regulation subsequent to December 2, 1956, were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 27, 1956; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the

committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., December 3, 1956, and ending at 12:01 a. m., e. s. t., January 7, 1957, no handler shall ship:

(i) Any seeded grapefruit, grown in the State of Florida, which are not mature and do not grade at least U. S. No. 1 Bronze;

(ii) Any seeded grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 70 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box;

(iii) Any seedless grapefruit, grown in Regulation Area I, which are not mature and do not grade at least U. S. No. 1 Bronze;

(iv) Any seedless grapefruit, grown in Regulation Area II, which are not mature and do not grade at least U. S. No. 1 Bronze; *Provided*, That not to exceed 40 percent, by count, of such grapefruit may be damaged, but not seriously damaged, by scars; or

(v) Any seedless grapefruit, grown in the State of Florida, which are of a size smaller than a size that will pack 96 grapefruit, packed in accordance with the requirements of a standard pack, in a standard nailed box.

(2) As used herein, "handler," "ship," "Regulation Area I," "Regulation Area II," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; the terms "U. S. No. 1 Bronze," "damage," "serious damage," "scars," "standard pack," and "standard nailed box" shall have the same meaning as when used in the United States Standards for Florida Grapefruit (§§ 51.750 to 51.790 of this title) and the term "mature" shall have the same meaning as set forth in section 601.16 Florida Statutes, Chapters 26492 and 28090, known as the Florida Citrus Code of 1949, as supplemented by section 601.17 (Chapters 25149 and 28090) and also by section 601.18, as amended on June 2, 1955 (Chapter 29760).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 28, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-9899; Filed, Nov. 30, 1956;
8:52 a. m.]

[Tangerine Reg. 181]

**PART 933—ORANGES, GRAPEFRUIT, AND
TANGERINES GROWN IN FLORIDA**

LIMITATION OF SHIPMENTS

§ 933.816 *Tangerine Regulation 181—*
(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 33, as amended (7 CFR Part 933), regulating the handling of oranges, grapefruit, and tangerines grown in the State of Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions effective not later than December 3, 1956. Shipments of tangerines, grown in the State of Florida, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order and will so continue until December 3, 1956; the recommendation and supporting information for continued regulation subsequent to December 2, 1956, were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 27, 1956; such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed on or before the effective time hereof.

(b) *Order.* (1) During the period beginning at 12:01 a. m., e. s. t., Decem-

ber 3, 1956, and ending at 12:01 a. m., e. s. t., December 6, 1956, no handler shall ship:

(1) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1; or

(2) Any tangerines, grown in the State of Florida, that are of a size smaller than the size that will pack 176 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{2}$ inches, capacity 1,726 cubic inches).

(3) During the period beginning at 12:01 a. m., e. s. t., December 6, 1956, and ending at 12:01 a. m., e. s. t., January 7, 1957, no handler shall ship:

(1) Any tangerines, grown in the State of Florida, that do not grade at least U. S. No. 1; or

(2) Any tangerines, grown in the State of Florida, that are of a size smaller than the size that will pack 210 tangerines, packed in accordance with the requirements of a standard pack, in a half-standard box (inside dimensions $9\frac{1}{2} \times 9\frac{1}{2} \times 19\frac{1}{2}$ inches, capacity 1,726 cubic inches).

(3) As used in this regulation, "handler," "ship," and "Growers Administrative Committee" shall have the same meaning as when used in said amended marketing agreement and order; and the terms "U. S. No. 1" and "standard pack" shall have the same meaning as when used in the revised United States Standards for Florida Tangerines (§§ 51.1810 to 51.1836 of this title).

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 28, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[P. R. Doc. 56-9898; Filed, Nov. 30, 1956;
8:52 a. m.]

[Lemon Reg. 670]

PART 953—LEMONS GROWN IN CALIFORNIA
AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.777 *Lemon Regulation 670—(a) Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 20 F. R. 8451; 21 F. R. 4393), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as

hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as herein-after set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on November 28, 1956; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., December 2, 1956, and ending at 12:01 a. m., P. s. t., December 9, 1956, is hereby fixed as follows:

- (i) District 1: 32,550 cartons;
- (ii) District 2: 148,800 cartons;
- (iii) District 3: 23,250 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 29, 1956.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F. R. Doc. 56-9918; Filed, Nov. 30, 1956;
8:58 a. m.]

TITLE 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of Foreign Com- merce, Department of Commerce

Subchapter B—Export Regulations

[8th Gen. Rev. of Export Regs., Amdt. 20¹]

PART 373—LICENSING POLICIES AND RELATED SPECIAL PROVISIONS

PART 384—GENERAL ORDERS

MISCELLANEOUS AMENDMENTS

1. Section 373.41 *Nonferrous commodities, including ores, concentrates, or unrefined products* is amended in the following particulars:

a. Paragraph (b) *Nickel scrap and nickel alloy scrap*, subparagraph (1) *Nickel-copper alloy scrap* is amended to read as follows:

(1) *Nickel-copper alloy scrap.* License applications to export nickel-copper alloy scrap (including monel scrap), Schedule B No. 654502 will be considered for approval only where the scrap is to be exported under a conversion agreement providing that not less than 90 percent of the nickel content of the nickel-copper scrap exported will be returned to the United States in the form of nickel metal. Applicants for licenses to export the nickel-copper alloy scrap described above are required to comply with the following:

(i) A statement of past participation in exports (Form IT- or FC-821) shall be submitted to the Bureau of Foreign Commerce in accordance with the procedure set forth in § 373.4. In order to be considered during the fourth quarter of 1956, the Form IT- or FC-821 must be received in the Bureau of Foreign Commerce no later than December 7, 1956. The Report shall be broken down by countries of destination and shall show the total quantity in pounds (gross scrap weight) of exports from the United States made by the applicant during the twelve-month period, October 1, 1955 through September 30, 1956. In preparing the form, the heading above items (c) and (d) shall be changed to read "October 1, 1955-September 30, 1956".

(ii) The following certification shall be included on the application:

I (we) certify that not less than 90% of the nickel content of the scrap exported will be returned to the United States in the form of nickel metal.

(iii) A copy of the Bill of Lading covering each return shipment of nickel metal to the United States shall be forwarded to the Bureau of Foreign Commerce, Att: FC-2630, Washington 25, D. C., no later than 30 days after receipt of shipment in the United States.

b. Paragraph (c) *Copper ores, concentrates, unrefined copper, refined copper, copper scrap, copper-base alloy scrap, and copper-base alloy ingots and other*

¹ This amendment was published in Current Export Bulletin No. 775, dated November 27, 1956.

crude forms including remelt ingots, subparagraph (2) Refined copper, Schedule B No. 641200 is amended by adding two subdivisions to read as follows:

(iii) Toll or conversion agreements. The provisions of subdivision (ii) of this subparagraph do not apply to an application for a license to export refined copper produced in the United States under a toll or conversion agreement from materials received from foreign sources. In these cases the applicant shall make the following certification on the license application:

I (we) certify that the refined copper described in this license application was produced in the United States under a toll or conversion contract from materials received from foreign sources.

(iv) Intransit shipments. The provisions of subdivision (ii) of this subparagraph do not apply to an application for a license to export refined copper produced in a foreign country and passing intransit through the United States to a foreign destination. (See § 372.6 for other requirements regarding applications for licenses covering intransit shipments.)

2. Part 384 General Orders is amended by adding a new section to read as follows:

§ 384.4 Order extending validity period of licenses expiring on November 30, 1956. In view of the work stoppage at United States ports which began on November 15, 1956, the validity period of any outstanding export license which expires on November 30, 1956 is hereby extended until December 31, 1956. In the event the work stoppage continues beyond November 30, 1956, the validity period of any outstanding export license, including such license expiring on November 30, 1956 which expires between November 30, 1956 and the last day of the month during which the work stoppage terminates, is hereby extended to the last day of the month following the month in which the work stoppage terminates.

This amendment shall become effective as of November 27, 1956.

(Sec. 3, 63 Stat. 7, as amended; 50 U. S. C. App. 2023. E. O. 9630, 10 F. R. 12245, 3 CFR, 1945 Supp., E. O. 9919, 13 F. R. 59, 3 CFR, 1948 Supp.)

LORING K. MACY,
Director,
Bureau of Foreign Commerce.

[F. R. Doc. 56-9847; Filed, Nov. 30, 1956; 8:47 a. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 6430]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

WAYNE SCHOOL, INC., ET AL.

Subpart—Advertising falsely or misleadingly: § 13.15 Business status, advantages, or connections: Reputation, success, or standing; § 13.60 Earnings and profits; § 13.115 Jobs and employ-

ment service; Sec. 13.143 Opportunities. Subpart—Misrepresenting oneself and goods—Goods: § 13.1615 Earnings and profits; § 13.1670 Jobs and employment; § 13.1697 Opportunities in product or service.

(Sec. 6, 38 Stat. 721; 15 U. S. C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U. S. C. 45) [Cease and desist order, Wayne School, Inc., et al., Chicago, Ill., Docket 6430, Nov. 1, 1956]

In the Matter of Wayne School, Inc., a Corporation Trading as Wayne School of Practical Nursing, and E. P. Sorensen and W. H. Hoehne, Individually and as Officers of Said Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging a corporation and its officers, engaged in Chicago in selling and distributing a correspondence course in practical nursing, with representing falsely in advertising and by statements of sales representatives the ease of learning their course and the time and attention required to do so; the educational requirements, opportunities for high-paying positions, earnings assured to, and value of diploma to, "graduates"; that their course was recognized and accredited by licensing authorities; that "graduates" were eligible for State licensing examinations; and that hospitals and institutions would hire them, among other things.

Following entry of an agreement between the parties containing a consent order to cease and desist, the hearing examiner made his initial decision, including order to cease and desist, which became, on November 1, the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondent, Wayne School, Inc., a corporation, and its officers and Wayne School, Inc., trading as Wayne School of Practical Nursing, or under any other name, and respondents E. P. Sorensen and W. H. Hoehne, individually and as officers of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of a course of instruction in practical nursing, or any other similar or related course of instruction, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication:

1. That practical nursing may be learned at home in a short time by devoting only part-time attention to said study, or that respondents' course is a complete course in practical nursing, or that respondents' course is anything other than their entire course in Practical Nursing.

2. That persons completing respondents' course are trained or professional practical nurses, or have the privileges, benefits and responsibilities which accompany those titles.

3. That some high school education, or an equivalent qualification, is not required to become a trained practical nurse.

4. That persons completing respondents' course will as a result thereof be able to command or receive, either through their own efforts or through respondents' efforts on their behalf, exceptional wages or high-paying positions for their service as practical nurses.

5. That persons completing respondents' course will be eligible to apply for or to take licensing examinations in any State.

6. That the diploma given by respondents to persons completing their course will aid, advance or further their nursing careers, except as evidence of completion of respondents' course of study in practical nursing.

7. That the residence course offered by respondents in conjunction with their correspondence course in nursing consists of actual hospital work on live patients unless and until such is a fact.

8. That respondents' nursing course is recognized or accepted by the nurses licensing authorities of the various States of the United States, or any one of said States.

9. That persons completing respondents' course of instructions are eligible for employment or will be employed as practical nurses by hospitals or institutions unless it is clearly revealed that such persons will not be eligible for employment and will not be employed in the States of Arkansas, Idaho, Louisiana, Nevada, New York, or any other states that may have, or may hereafter enact, a law making it mandatory for practical nurses to be licensed and that such persons will not be eligible for employment and will not be employed in most of the hospitals and institutions in other states as practical nurses.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is further ordered, That respondents, Wayne School, Inc., E. P. Sorensen and W. H. Hoehne shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: November 1, 1956.

By the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-9849; Filed, Nov. 30, 1956; 8:47 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter XIV—The Renegotiation Board

Subchapter B—Renegotiation Board Regulations Under the 1951 Act

PART 1465—LIMITATIONS ON COMMENCEMENT AND COMPLETION OF RENEGOTIATION

PART 1470—INFORMATION REQUIRED OF CONTRACTORS

MISCELLANEOUS AMENDMENTS

1. Section 1465.2 Commencement of renegotiation proceedings is amended by

deleting in its entirety the last sentence of paragraph (a) thereof.

2. Section 1470.3 *Filing of financial statement* is amended by deleting paragraph (d) in its entirety and inserting in lieu thereof the following:

(d) (1) *Fiscal years ending on or before June 30, 1956.* Except as otherwise provided in § 1467.4 (d) (2) of this subchapter with respect to fiscal years ending on or before June 30, 1956, the Standard Form of Contractor's Report, including both RB Form 1 and RB Form 1B, or the Statement of Non-Applicability, whichever is appropriate, shall be filed on or before the first day of the fifth calendar month following the close of the fiscal year of the contractor, whether or not any specific request for filing has been made.

(2) *Fiscal years ending after June 30, 1956.* Except as otherwise provided in § 1467.31 (d) of this subchapter with respect to fiscal years ending after June 30, 1956, every contractor who is required to file a financial statement for any such fiscal year shall file the Standard Form of Contractor's Report, including both RB Form 1 and RB Form 1B, on or before the first day of the fifth calendar month following the close of such fiscal year, whether or not any specific request for filing has been made. Any contractor who is entitled to file the Statement of Non-Applicability for any such fiscal year, and who elects so to do, shall file such statement on or before the first day of the fifth calendar month following the close of such fiscal year.

(Sec. 109, 65 Stat. 22; 50 U. S. C. App. 1219)

Dated: November 28, 1956.

THOMAS COGGESHALL,
Chairman.

[F. R. Doc. 56-9789; Filed, Nov. 30, 1956;
8:45 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1967]

PART 198—SULPHUR PERMITS AND LEASES

On pages 5802 to 5805, inclusive, of the FEDERAL REGISTER of August 3, 1956, there was published a notice of proposed rule making to implement revision of the sulphur regulations approved August 16, 1932. Interested persons were given 30 days within which to submit written comments, suggestions or objections with respect to the proposed regulations.

After careful consideration of comments and suggestions submitted within the 30-day period, it has been determined that they do not warrant a change in the proposed regulations set forth below. Consequently, the proposed regulations are hereby adopted.

FRED A. SEATON,
Secretary of the Interior.

NOVEMBER 26, 1956.

Part 198, Title 43 of the Code of Federal Regulations is revised as follows:

GENERAL

- Sec. 198.1 Statutory authority.
- 198.2 Definitions.
- 198.3 Area and limitation on holdings.
- 198.4 Qualifications of applicant.
- 198.5 Permits and leases for lands disposed of with reservation of sulphur.
- 198.6 Requirements when lands are within a withdrawal.
- 198.7 Protection of pre-existing mining claims.

SULPHUR PROSPECTING PERMITS

- 198.8 Application for permit.
- 198.9 Rights conferred.
- 198.10 Permit bond.
- 198.11 Cancelled permits.
- 198.12 Reward for discovery.
- 198.13 Expiration of permit.

SULPHUR LEASES

- 198.14 Form of lease.
- 198.15 Lease bond.
- 198.16 Royalty.
- 198.17 Rental.
- 198.18 Minimum production.
- 198.19 Application for lease by competitive bidding.
- 198.20 Notice of lease offer.
- 198.21 Bid deposits.
- 198.22 Award of lease.
- 198.23 Renewal leases.
- 198.24 Relinquishment of lease.
- 198.25 Cancellation of lease.

TRANSFER OF PERMITS AND LEASES

- 198.26 Transfers, including subleases.
- 198.27 Overriding royalties.

AUTHORITY: §§ 198.1 to 198.27, inclusive, issued under sec. 32, 41 Stat. 450; 30 U. S. C. 189. Interpret or apply secs. 1 to 6, 44 Stat. 301-302, as amended; 30 U. S. C. 271-276.

GENERAL

§ 198.1 *Statutory authority.* (a) Sections 1 to 7 of the Act of April 17, 1932 (44 Stat. 301), as amended July 16, 1932 (47 Stat. 701, 30 U. S. C. 271-276), authorize the Secretary of the Interior to:

(a) Issue permits to prospect for sulphur in public lands or in public lands disposed of with a reservation of such deposits to the United States located in the States of Louisiana and New Mexico.

(b) Lease such lands containing valuable deposits of sulphur.

§ 198.2 *Definitions.* The following terms, as used in this part or in any lease or permit approved under the regulations in this part, shall have the meanings here given:

(a) *Land Office, or appropriate land office.* The Land Office, Bureau of Land Management, Santa Fe, New Mexico, for lands covered by a permit, lease, or application therefor, situated in the State of New Mexico, and the Eastern States Land Office, Bureau of Land Management, Washington 25, D. C., for lands covered by a permit, lease, or application therefor, situated in the State of Louisiana.

(b) *Manager.* The Manager of the appropriate land offices as defined in paragraph (a) of this section.

(c) *Appropriate State Supervisor.* State Supervisor, Bureau of Land Management, Santa Fe, New Mexico, when the lands covered by a permit, lease or application therefor are situated in the State of New Mexico, and Eastern States Supervisor, Bureau of Land Manage-

ment, Washington 25, D. C., when the lands covered by a permit, lease or application therefor are situated in the State of Louisiana.

§ 198.3 *Area and limitations on holdings.* Except where the rule of approximation applies, a sulphur permit or lease may not include over 640 acres in reasonably compact form entirely within a 6-mile square. No person, association or corporation may hold more than three sulphur permits or leases in any one State during the life of such permits or leases.

§ 198.4 *Qualifications of applicant.* (a) As used in this section, "applicant" means an applicant for a permit under § 198.8, for a lease under § 198.12, the successful bidder to whom a lease is awarded under § 198.22, or an assignee or transferee under § 198.26.

(b) Permits and leases may be issued to citizens of the United States, association of citizens, and corporations organized under the laws of the United States or of any State or Territory thereof.

(c) All applicants must file with the Manager statements and evidence as follows (unless previously filed, in which event a reference by serial number to the record and the land office in which filed, together with a statement as to any amendment, will be accepted):

(1) As to citizenship, whether native born or naturalized.

(2) If applicant is an association (including a partnership), it must submit a certified copy of the articles of association and the same showing as to the citizenship and holdings of its members as required of an individual.

(3) A corporation must submit a statement showing:

(i) The State in which it is incorporated.

(ii) That it is authorized to hold permits and leases for sulphur deposits and that the person executing an instrument on behalf of the corporation is authorized to act in such matters.

(iii) The percentage of voting stock, of all the stock owned by aliens and of all the stock owned by those having addresses outside of the United States. When the stock owned by aliens is over 10 percent, additional information may be required.

(iv) The name, address, citizenship, and acreage holdings of any stockholder owning or controlling 20 percent or more of the stock of any class, of the corporation.

(4) That holdings of sulphur permits or leases do not exceed the number specified in § 198.3.

§ 198.5 *Permits and leases for lands disposed of with reservation of sulphur.* Where lands included in a permit or lease have been disposed of with reservation of sulphur deposits, a permittee or lessee must make full compliance with the law under which such reservation was made. See the Acts of March 4, 1933 (47 Stat. 1570; 30 U. S. C. 124); December 29, 1916 (39 Stat. 862; 43 U. S. C. 291-301); June 17, 1949 (63 Stat. 201); June 21, 1949 (63 Stat. 215; 30 U. S. C. 54) and August 13, 1954 (68

Stat. 708), and other laws authorizing such reservations.

§ 198.6 *Requirements when lands are within a withdrawal.* Where any part of the lands embraced in an application for sulphur permit or lease is within a withdrawal which does not preclude disposition of the sulphur deposits, the head of the Government agency having control will be called upon for a report as to whether there is any objection to the granting of a sulphur permit or lease. Where he recommends that a special stipulation be required to protect the interests of the United States, an appropriate stipulation may be included in the lease or permit.

§ 198.7 *Protection of pre-existing mining claims.* Mining claims for sulphur deposits on lands such as specified in § 198.1 (a) situated in Louisiana which were valid on April 17, 1926, or on such lands in New Mexico, on July 16, 1932, if duly maintained, may be patented under the law under which they were initiated. Otherwise, such deposits may be secured only under the Act of April 17, 1926 (44 Stat. 301), as amended July 16, 1932 (47 Stat. 701, 30 U. S. C. 271-276).

SULPHUR PROSPECTING PERMITS

§ 198.8 *Application for permit.* An application for a permit must be filed in duplicate in the appropriate land office. A filing fee of \$10, which will be retained as a service charge in any event, must accompany the application. No specific form of application is required, but the application should include the information and evidence called for in §§ 198.4 and 198.19 (a) (1) and (2).

§ 198.9 *Rights conferred.* Two-year permits issued and Form 4-701¹ grant the permittee the exclusive right to prospect and explore the lands described therein to determine the existence of, or workability of, the sulphur deposits. Only such material may be removed from the land as is necessary to experimental work or the demonstration of the existence of such deposits in commercial quantities.

§ 198.10 *Permit bond.* Prior to the issuance of a permit for lands entered or patented with a reservation of the sulphur deposits to the United States, or lands within a reclamation project, the applicant must furnish an approved corporate surety bond of at least \$1,000 (Form 4-1130) or a personal bond in similar amount (Form 4-1131) secured by negotiable Federal securities in the amount of the bond. The right is reserved to require the applicant, in any case where deemed necessary, to furnish a permit bond.

§ 198.11 *Cancelled permits.* Upon cancellation of a sulphur permit for any reason, the land will not be open to

sulphur permit applications until the cancellation is noted on the records of the land office.

§ 198.12 *Reward for discovery.* (a) Upon a satisfactory showing that valuable deposits of sulphur have been discovered by a permittee within the area covered by his permit before the permit expires, and that the land is chiefly valuable therefor, the permittee shall be entitled to a preference right lease for all or part of the land embraced in his permit in a reasonably compact form. An application for a preference right lease by a sulphur permittee must be filed not later than 30 days after his permit expires. The application must be filed in the appropriate land office and describe the land desired, show the date valuable sulphur deposits were discovered, specify fully the extent and mode of occurrence of the deposits as disclosed by prospecting work, and show any change in the information contained in the application for sulphur permit. The application must be accompanied by the first year's lease rental at the rate of 50 cents per acre or fraction thereof. The lease will be on Form 4-1313 and will be dated the first day of the month following the date of the decision notifying the applicant that he is entitled to a preference right sulphur lease, unless otherwise specified therein. If the sulphur permit expires and the application for sulphur lease is finally rejected, royalty for the sulphur mined will be charged at the sulphur permit rate and such mining will not constitute a trespass.

(b) If the lands are unsurveyed, the sulphur permittee, prior to the issuance of a lease, will be required to deposit with the appropriate State Supervisor the estimated cost of making a survey of the lands as officially determined by the Bureau of Land Management. This survey will be an extension of the public land surveys over the lands applied for, and the lands to be included in the sulphur lease will be conformed to the subdivision of such survey.

(c) If the sulphur permittee dies before the lease is issued, the lease will be issued to the executor or administrator of the estate if probate of the estate has not been completed; if probate has been completed, or is not required, to the heirs or devisees; and if there are minor heirs or devisees, to their legal guardian or trustee in his name, provided there is filed in all cases the following information:

(1) Where probate of the estate has not been completed:

(i) Evidence that the person, who as executor or administrator submits forms of lease and bond, has authority to act in that capacity and to sign such forms.

(ii) Evidence that the heirs or devisees are the heirs or devisees of the deceased permittee or lessee and are the only heirs or devisees of the deceased.

(iii) A statement over the signature of each heir or devisee concerning citizenship and holdings similar to that required by § 198.4 (c) (1) and (4).

(2) Where the executor or administrator has been discharged or no probate proceedings are required:

(i) A certified copy of the will or decree of distribution, if any, and if not, a statement signed by the heirs that they are the only heirs of the permittee or lessee and citing the provisions of the law of the deceased's last domicile showing no probate is required.

(ii) A statement over the signature of each of the heirs or devisees with reference to citizenship and holdings similar to that required by § 198.4 (c) (1) and (4), except that if the heir or devisee is a minor, the statement must be over the signature of the guardian or trustee.

(3) Where there is a legal guardian or trustee:

(i) A certified copy of the court order authorizing the guardian or trustee to act as such and to fulfill in behalf of the minor or minors all obligations of the lease or arising thereunder; statements by the guardian or trustee as to the citizenship and holdings of each of the minors and as to his own citizenship and holdings, including his holdings for the benefit of other minors similar to that required by § 198.4 (c) (1) and (4).

§ 198.13 *Expiration of permit.* Unless a lease application is filed pursuant to § 198.12 the permit will expire at the end of its period without notice to the permittee. No extension of the term will be granted.

SULPHUR LEASES

§ 198.14 *Form of lease.* Leases shall be issued on Form 4-1313.

§ 198.15 *Lease bond.* A compliance bond, in no event less than \$5,000, with approved corporate surety (Form 4-1113), or the lessee's personal bond in similar amount (Form 4-1114), will be required prior to the issuance of a lease. Personal bonds must be secured by negotiable Federal securities in the amount of the bond.

§ 198.16 *Royalty.* Leases based upon discovery of valuable sulphur deposits under a sulphur permit shall provide for a royalty of 5 percent of the quantity or gross value of the output of sulphur at the point of shipment to market. Leases for lands known to contain valuable deposits of sulphur and not covered by sulphur permits or leases shall provide for such royalty as will be determined prior to the issuance of the lease, but in no case shall the royalty be less than 5 percent of the quantity or gross value of the output of sulphur at the point of shipment to market.

§ 198.17 *Rental.* Leases shall provide for the payment, in advance, of an annual rental of 50 cents for each acre or part thereof covered by the lease, beginning with date of the lease, such rental for any year to be credited against the first royalties as they accrue under the lease during the year for which the rental was paid.

§ 198.18 *Minimum production.* Leases will require the payment of a royalty on a minimum annual production beginning with the sixth year of the lease, unless operations are interrupted by strikes, the elements, or casualties not attributable to the lessee, or unless, on application and showing made, lease operations are

¹ A copy of this, as well as of every other form mentioned in this part, may be obtained from the Land Office, Santa Fe, New Mexico, or from the Director, Bureau of Land Management, Washington 25, D. C. Copies of Forms 4-701 and 4-1313 were filed with the Federal Register Division as part of the original document.

suspended by the Department of the Interior for the reasons specified in section 39 of the Mineral Leasing Act of February 25, 1920, as amended, (30 U. S. C. 209).^{*}

§ 198.19 Application for lease by competitive bidding. (a) An application for a lease must be filed in duplicate in the appropriate land office. A filing fee of \$10, which will be retained as a service charge in any event, must accompany the application. No specific form is required, but the application should include the following:

(1) The applicant's name and address.
(2) If the requested lands are surveyed, they should be described by legal subdivisions, showing meridian, State, township, range, and section; if not surveyed, by metes and bounds connected by courses and distance with some corner of the public land survey. When possible, the approximate legal subdivisions of unsurveyed lands should be stated.

(3) Evidence that the land is valuable for its sulfur content, with a statement as to the character, extent, and mode of occurrence of the sulfur deposits.

(b) The application must be signed by applicant, or by his attorney in fact, supported by the power of attorney.

(c) If it be found that the area applied for is not available for leasing, the applicant will be so informed.

§ 198.20 Notice of lease offer. Notice of offer of lands or deposits for lease will be by publication once a week for four consecutive weeks or for such other period as may be determined, in a newspaper of general circulation in the county or parish in which the lands or deposits are situated. The notice will state the time and place of sale, whether the sale will be at public auction or by sealed bids, the description of the lands and the place where a detailed statement of the terms and conditions of the lease offer and the obligations of the successful bidder to pay for publication of that notice may be obtained. A copy of the notice will be posted in the appropriate land office during the period of publication. The detailed statement will set forth the terms and conditions of the sale, including the manner in which bids may be submitted, and statements that the successful bidder will be required, prior to the issuance of a lease, to pay his proportionate share of the total cost of publication of the notice of lease offer, and that the successful bidder's share shall be that proportion of the total advertising cost, that the number of parcels of land awarded to him bears to the number of parcels for which high bidders are declared. The right is reserved to reject any and all bids, and should a bid be rejected, the deposit made by the bidder will be returned. The commission of any act of intimidation of bidders, or the combination of bidders to hinder or prevent bidding, is unlawful. (See 18 U. S. C. 1860).

§ 198.21 Bid deposits. The successful bidder at a sale by public auction must deposit with the Manager of the Land Office, or the officer conducting the sale,

on the date of the sale, and each bidder at a sale by sealed bids, must submit with his bid, certified check, cashier's check, bank draft, money order, or cash for one-fifth of the amount of the bid, and evidence of qualifications as required by § 198.4.

§ 198.22 Award of lease. Upon receipt of the high bid at, and at the close of, an oral auction, or the opening of the sealed bids, the Manager, subject to his right to reject any and all bids, will award the lease to the successful bidder, who will be notified accordingly. Four lease forms will be sent to the successful bidder, who will be required within 30 days from receipt thereof to execute them, pay the balance of the bonus bid, the first year's rental, and the cost of publication of the notice of lease offer as specified in § 198.20 and file a bond as required by § 198.15. If a bidder, after being awarded a lease, fails to execute it or otherwise comply with the applicable regulations, his deposit will be forfeited and disposed of as other receipts under the Mineral Leasing Act. If the lease awarded to the successful bidder is executed by an attorney acting in behalf of the bidder, the lease must be accompanied by evidence that the bidder authorized the attorney to execute the lease. If the bidder dies before the lease is issued, there must be furnished satisfactory evidence such as specified in § 198.12 (c), in order that the Manager of the appropriate land office may determine to whom the lease may be issued.

§ 198.23 Renewal leases. An application for a renewal lease must be filed in the appropriate land office within 90 days prior to the expiration of the lease term. Thereafter, the lessee will be notified of the terms and conditions to be prescribed in the renewal lease. Unless the lessee files written objections to the proposed terms, or files a relinquishment of the lease within 30 days after receipt of such notice, he will be deemed to have agreed to such terms and to the renewal of the lease. Prior to the issuance of a renewal lease, the lessee will be required to submit a new bond as prescribed in § 198.15. Each application for renewal must be accompanied by a filing fee of \$10, which will not be returnable.

§ 198.24 Relinquishment of lease. Upon a satisfactory showing that the public interest will not be impaired, the lessee may surrender the entire lease or any legal subdivision thereof. A relinquishment must be filed in duplicate in the appropriate land office. Upon its acceptance it shall be effective as of the date it is filed, subject to the continued obligation of the lessee and his surety to make payment of all accrued rentals and royalties and to provide for the preservation of any mines or productive works or permanent improvements on the leased lands in accordance with the regulations and terms of the lease.

§ 198.25 Cancellation of lease. If the lessee fails to comply with the general regulations in force at the date of the lease, or defaults with respect to any of the terms, covenants, or stipulations of the lease, and such failure or default continues for 30 days after service of written

notice thereof by the lessor, then the lessor may bring appropriate court proceedings to forfeit and cancel the lease as provided in section 31 of the Mineral Leasing Act (30 U. S. C. 188). A waiver of any particular cause of forfeiture shall not prevent the cancellation and forfeiture of the lease for any other cause, or for the same cause occurring at any other time.

TRANSFERS OF PERMITS AND LEASES

§ 198.26 Transfers, including subleases. (a) Permits and leases may be transferred in whole or in part. The approval of a transfer of part of the lands in a permit or lease will create a new permit or lease for the transferred portion. A discovery made before or after the partial assignment, either on the retained or the assigned portions will not inure to the benefit of the other, nor will approval of a transfer extend the life of the permit or the renewal periods of the lease. Transfers, whether by direct assignments, operating agreements, subleases, working or royalty interests, or otherwise, must be filed for approval in duplicate at the appropriate land office within 90 days after execution. Evidence of the qualifications of the assignee or transferee to hold the permit or lease, as required by § 198.4 must be submitted simultaneously. Before a transfer of a permit or lease will be approved, the consent of the surety to the substitution of the transferee as principal, or a new bond with the transferee as principal, must be submitted if the original permit or lease required the maintenance of a bond. If the transfer is for part of the land only, it must be for a legal subdivision and (1) the consent of the surety to the transfer and its agreement to remain bound as to the interest retained by the permittee or lessee must be submitted, as well as (2) a new bond with the transferee as principal covering the portion of the lands transferred. The account under the permit or lease must be in good standing before approval of transfer will be given. A transfer will take effect the first day of the month following its approval, or if the transferee requests, the first day of the month of the approval.

(b) An application for approval of any instrument transferring a lease or permit, or interest therein, must be accompanied by a service fee of \$10. An application not accompanied by such a fee will not be accepted. The fee will not be returned even though the application is later withdrawn or rejected.

(c) No transfer will be approved if the transferee is not qualified to take and hold a permit or lease or if his bond is insufficient. A minor, except a minor heir or devisee of a permittee or lessee, is not qualified to hold a permit or lease and a transfer to a minor will not be approved.

(d) In order for the heirs or devisees of a deceased holder of a permit or lease, an operating agreement, or a royalty interest in a permit or lease, to be recognized by the Department as the holder of the permit or lease, agreement or interest, there must be furnished the appropriate showing required under § 198.12 (c).

^{*}See showing required under § 191.26 of this title, as amended.

(e) The assignor or sublessor and his surety will continue to be responsible for the performance of any obligation under the permit or lease until the assignment or sublease is approved. If the assignment or transfer is not approved, their obligations to the United States shall continue as though no such assignment or transfer had been filed for approval. After approval the assignee or sublessee and his surety will be responsible for the performance of all permit or lease obligations notwithstanding any terms in the assignment or sublease to the contrary.

§ 198.27 *Overriding royalties.* (a) An overriding royalty interest may be created by assignment or otherwise: *Provided, however,* That if the total of the overriding royalty interests at any time exceeds one percent of the gross value of the output at the point of shipment to market, they shall be subject to reduction or suspension by the Secretary to a total of not less than one percent of such gross value, whenever, in the interest of conservation, it appears necessary to do so in order (1) to prevent premature abandonment, or (2) to make possible the economic mining of marginal or low grade deposits. Where there is more than one overriding royalty interest, any such suspension or reduction shall be applied to the respective interests in the manner agreed upon by the holders thereof or, in the absence of such agreement, in the inverse order of the dates of creation of such interests.

(b) Any assignment, sublease, or other transfer or agreement which creates an overriding royalty interest will not be approved unless the owner of that interest files his agreement in writing that such interest is subject to suspension or reduction as provided in paragraph (a) of this section. No overriding royalties shall be paid at a rate in excess of the rate to which they have been so reduced until otherwise authorized by the Secretary.

[F. R. Doc. 56-9838; Filed, Nov. 30, 1956; 8:46 a. m.]

TITLE 46—SHIPPING

Chapter II—Federal Maritime Board, Maritime Administration, Department of Commerce

Subchapter C—Regulations Affecting Subsidized Vessels and Operators

[Gen. Order 74, Amdt. 1]

PART 292—PROCEDURE TO BE FOLLOWED BY OPERATORS IN THE RENDITION TO THE MARITIME ADMINISTRATION OF ANNUAL AND FINAL ACCOUNTINGS UNDER OPERATING-DIFFERENTIAL SUBSIDY AGREEMENTS

SUBSEQUENT ADJUSTMENTS

Effective with respect to accountings submitted for the calendar year 1956 and thereafter, Part 292 is hereby amended by deleting paragraph (c) of § 292.3 *Accounting requirements* and substituting therefor the following new paragraph:

(c) *Subsequent adjustments.* (1) At the time of the submission of the ac-

counting for each accounting period as required under this part, the Operator shall determine whether adjustments during such period affecting any preceding accounting period or periods would, if carried back to such preceding period or periods, operate to increase or decrease to the extent of \$10,000 or more, (i) the amount otherwise recapturable and/or (ii) the amount otherwise required to be deposited in the Special Reserve Fund and, if so, the Operator shall either (a) submit a revised accounting for such preceding accounting period or periods taking such adjustments into account or (b) include in the current accounting an adjustment of amounts recapturable and/or required to be deposited in the Special Reserve Fund with respect to such prior period or periods that will produce the same result as though a revised accounting were submitted for such prior period or periods: *Provided,* That, except as otherwise provided herein, adjustments applicable to a preceding accounting period shall be taken into account in the year in which recorded; *And provided further,* That, notwithstanding the foregoing, any subsidy payable must be calculated at the rates established for the voyages on which the subsidizable expense involved was incurred.

(2) If, in any instance, at the time of the submission of an accounting, no such adjustment affecting any preceding accounting period has occurred subsequent to the submission of the accounting for such period, the Operator shall submit to the Administration an appropriate certification to that effect over the signature of a duly authorized officer.

NOTE: The reporting requirements under this Amendment 1 to General Order 74 have been approved by the Bureau of the Budget in accordance with the Federal Reports Acts of 1942.

(Sec. 204, 49 Stat. 1937, as amended; 46 U. S. C. 1114)

Dated: November 9, 1956.

By order of the Maritime Administrator.

[SEAL]

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 56-9870; Filed, Nov. 30, 1956; 8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 125—RAILROAD ACCIDENTS: REPORTS AND CLASSIFICATION

MONTHLY REPORTS OF RAILROAD ACCIDENTS

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 23d day of November A. D. 1956.

The matter of rules governing monthly reports of railroad accidents being under consideration; and

It appearing that the Commission by notice dated December 1, 1955 (20 F. R. 8964-71), informed the rail carriers subject to the Commission's Rules Govern-

ing the Monthly Reports of Railway Accidents and other interested parties of proposed revisions of the rules, and that interested parties were permitted to file statements in writing on or before thirty days after the date of the notice of December 1, 1955, containing their views with respect to the proposed rules;

It further appearing that the Commission by notice dated January 26, 1956 (21 F. R. 698), extended the time for filing written statements to and including March 31, 1956;

It further appearing that written statements were filed by Railway Labor Organizations on December 29, 1955 and November 2, 1956, and by the Association of American Railroads on March 28, 1956.

And it further appearing that consideration has been given to the above mentioned statements:

It is ordered, That common carriers subject to the Accident Reports Act (45 U. S. C. 38-43), shall make to the Commission monthly reports of accidents in the form and manner set forth in Appendix A attached hereto, and made a part hereof;

It is further ordered, That 49 C. F. R. §§ 125.10 to 125.60, inclusive, be deleted in their entirety and that §§ 125.10 to 125.60, inclusive, as set forth below, be substituted therefor;

It is further ordered, That the order of December 31, 1921, in the matter of "Rules Governing Monthly Reports of Railway Accidents" and supplemental orders of September 21, 1932, December 17, 1932, October 24, 1935, January 14, 1936, June 8, 1936, October 30, 1936, January 28, 1939, December 11, 1947, and July 22, 1948, be, and they are hereby, vacated and set aside, effective January 1, 1957, except insofar as they apply to reports of accidents occurring before January 1, 1957;

It is further ordered, That a copy of this order shall be served on common carriers subject to the provisions of the Accident Reports Act, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy thereof with the director, Division of Federal Register;

And it is further ordered, That this order shall be effective on January 1, 1957.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

These rules are issued by authority of the Accident Reports Act approved May 6, 1910, section 1 of which requires "that it shall be the duty of the general manager, superintendent, or other proper officer of every common carrier engaged in interstate or foreign commerce by railroad to make to the Interstate Commerce Commission, at its office in Washington, District of Columbia, a monthly report under oath, of all collisions, derailments, or other accidents resulting in injury to persons, equipment, or roadbed arising from the operation of such railroad under such rules and regulations as may be prescribed by the said Com-

mission, which report shall state the nature and causes thereof and the circumstances connected therewith."

Sec.

125.10 Purpose.

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- 125.12 Definition of "accidents".
- 125.13 Occurrences not to be classed as "accidents arising from the operation of a railroad".
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CLASSIFICATION OF PERSONS

- 125.50 Classification of persons.

CODES FOR ACCIDENT REPORTING

- 125.55 Codes for accident reporting.

ELECTRIC RAILWAYS

- 125.60 Electric railways; form of report.

AUTHORITY: §§ 125.10 to 125.60 issued under sec. 12, 24 Stat. 383, as amended, sec. 1, 36 Stat. 350; 49 U. S. C. 12, 45 U. S. C. 38. Interpret or apply sec. 20, 24 Stat. 396, as amended, sec. 3, 36 Stat. 351; 49 U. S. C. 20, 45 U. S. C. 40.

§ 125.10 Purpose. The purpose of reporting accidents arising from the operation of a railroad to this Commission is to carry out the intent of the Congress as expressed in the Accident Reports Act approved May 6, 1910, namely, the disclosure of the hazards inherent in the provision of common carrier transportation by railroad insofar as such disclosure may appear from accident experience. Accident reporting, therefore, being in the interest of the remedial and regulatory process, its requirements apply exclusively to collisions, derailments, and other accidents arising from the actual operation of a railroad. The purpose of this revision of the accident reporting rules is to promote accuracy and uni-

formity of reporting among the carriers and to comprehend changes in railroad operations which have occurred in recent years.

GENERAL INSTRUCTIONS

§ 125.11 Definition of "arising from the operation of a railroad". The term is limited to the physical operation and maintenance of equipment, track, and roadbed of a railroad and includes only the:

(a) Operation of trains, locomotives, or cars.

(b) Transportation in railroad cars of persons, freight, mail, baggage, express, or other material including loading and unloading of such cars.

(c) Any necessary handling and care, by railroad employees, of persons and lading on cars in transit.

(d) Work performed on railroad property (except as indicated in § 125.15 (a)) by railroad employees who in the course of their regular duty are engaged in the operation, construction, servicing, or maintenance of existing lines, as follows:

(1) Construction, servicing, or maintenance of locomotives or cars or of any of the facilities used for doing this work.

(2) Construction, installation, or repair of tracks or roadbed or of any of the facilities used for doing this work.

(3) Construction, installation, servicing, or maintenance of signal structures or equipment including highway crossing protection or of any of the facilities used for doing this work.

(4) Construction, installation, servicing, or maintenance of communication structures or equipment or of any of the facilities used for doing this work.

(5) Construction, installation, servicing, or maintenance of other fixed railroad structures, including signs, under, over, or beside tracks.

(6) Physical operation of all railroad facilities and equipment which includes those acts which were performed in and about freight houses and passenger stations (including the loading and unloading of cars), yard offices, car dumpers, or storehouses or any other facilities used for providing railroad service.

§ 125.12 Definition of "accidents".

(a) An accident is an occurrence arising from a collision, derailment or other happening incurred in the physical operation of a railroad as herein defined in § 125.11.

(b) The Accident Reports Act requires the reporting of collisions, derailments or other accidents resulting in injury to persons, equipment or roadbed, arising from the operation of a railroad. As used in the act, the term "other accidents" requires that said accidents should include only such accidents as involve the physical movement and maintenance of trains, locomotives, or cars, and the maintenance and use of tracks and roadbed.

(c) An "accident" as herein used which results in external or internal injury to a person presupposes an occurrence, such as a blow, impact of a locomotive, car, machinery, equipment, tool, material or other object, a slip, a trip or fall, or any mishap, usually unforeseen, resulting from an action arising in the

operation of a railroad as defined in § 125.11.

(d) The act makes clear that "accident" and "injury" are not synonymous terms, and, therefore an injury must be the result of an accident, or in other words, some physical agency arising from the operation of a railroad as herein defined in § 125.11 must inflict injury as defined in paragraph (c) of this section.

§ 125.13 Occurrences not to be classed as "Accidents arising from the operation of a railroad". (a) In the absence of any such mishap as mentioned in § 125.12 (c), the application of physical exertion alone shall not be classed as an accident.

(b) Disability through aggravation of an unfavorable physical condition in connection with a mishap as defined in § 125.12 (c) shall not be classed as a reportable accident if all of the evidence is nonconflicting and clearly indicates that such mishap of itself would have been insufficient to cause reportability.

(c) Disability resulting alone from the accentuation of an unfavorable physical condition, in the absence of a mishap, shall not be classed as an accident.

(d) Disability resulting from illness or disease shall not be classed as an accident.

(e) Disability representing the cumulative effect of repetitive use of tools or appliances or repetitive exposure to the elements or to chemicals, fumes, gases and the like, shall not be classed as an accident. This limitation does not apply to disability arising from a single exposure to chemicals, fumes, gases and the like.

(f) Disability resulting from contact with animals, insects, reptiles, poisonous weeds or leaves, or like objects not arising from the operation of a railroad as herein defined in § 125.11.

(g) Occurrences determined to be suicides by a coroner or other public authority.

§ 125.14 "Accidents" to be reported. A reportable accident is an accident arising from the operation of a railroad as herein defined in § 125.11 that results in one or more of the following circumstances:

(a) Death of a person: A death resulting from an accident within 24 hours following its occurrence is reportable as a fatality; if death occurs after the expiration of the 24-hour period, the casualty is reportable as an injury and also as a subsequent fatality.

(b) Injury to an employee sufficient to incapacitate him from performing fully and acceptably and without extra assistance all of the duties customarily included in the assignment of the employee at the time of injury for more than three days (72 hours) in the aggregate during the ten days (240 hours) immediately following the accident. This rule applies to employees on duty, and to those classed as not on duty, but does not apply to employees classed as passengers or trespassers.

(1) Incapacitation, which includes Sundays, holidays, and lay-off days, begins: Whenever the pain or inconvenience resulting from the accident becomes so serious that it would prevent

the injured person from performing all of his duties whether or not there is necessity or opportunity for him to do so at the time, and

(2) Incapacitation ends: Whenever the injured person has recovered sufficiently to be able to resume performance of all of his duties whether or not there is necessity or opportunity for him to do so at the time.

(c) Injury to a person other than an employee if the injury is sufficient to incapacitate the injured person from following his customary vocation or mode of life for a period of more than one day. This rule applies also to employees classed as passengers or trespassers.

(d) Damage to equipment, tracks, or roadbed amounting to more than \$750 which also results in a reportable casualty, a collision, or a derailment.

When there is uncertainty as to the extent of disability, all the circumstances surrounding an injury will be thoroughly investigated, including any medical attention rendered, which will be submitted to the chief medical officer of the carrier, and in the light of all such circumstances and medical attention the professional opinion of the chief medical officer will govern the determination and duration of physical incapacitation under these rules.

An accident to be reportable must be established directly or indirectly as having occurred at a specified place and date.

§ 125.15 "Accidents" not to be reported. (a) No accident shall be considered as arising from the operation of a railroad as herein defined in § 125.11 above which occurs off owned or leased railroad property or on that part of railroad property not directly used in transportation, except when occurring in train or switching operations by a reporting carrier on industrial or private premises, or on public or private property adjacent to the railroad right-of-way which is caused by an agency arising from the operation of a railroad on railroad property.

(b) No accident resulting in damage to property or a personal casualty is reportable if it arises from some agency located either on or off railroad premises which agency is not an employee then engaged in, or a part of the railroad used in, transportation. However, any resultant collision or derailment which causes a reportable casualty or damage of more than \$750 to a moving train, locomotive, or car must be considered as arising from the operation of a railroad as herein defined in § 125.11.

(c) No accidents and resulting casualties are reportable when caused by an extraordinary force of nature as defined by the United States Weather Bureau (for example, such as floods, earthquakes, hurricanes, tornadoes, and electrical storms). However, any resultant collision or derailment which causes a reportable casualty or damage of more than \$750 to a moving train, locomotive, or car must be considered as arising from the operation of a railroad as herein defined in § 125.11.

(d) The consequences of horseplay or assault by persons upon one another on

railroad trains or on that part of a railroad used in transportation are not considered as arising from the operation of a railroad as herein defined in § 125.11.

(e) Unless caused by moving trains, locomotives, or cars, or the action of railroad employees on duty engaged in the operation of a railroad as herein defined in § 125.11 above, accidents to all classes of non-employees either lawfully or unlawfully on railroad property are not reportable, except accidents resulting in casualties to passengers boarding or alighting from passenger trains at passenger stations.

(f) Accidents at highway or street crossings, or on parts of highways within railroad right-of-way, not involving the presence or operations of trains, locomotives, cars, track cars, or similar equipment and not involving employees then engaged in the operation of a railroad as herein defined in § 125.11.

(g) Accidents in or about living quarters not arising from the operation of a railroad as herein defined in § 125.11.

§ 125.16 Doubtful cases. The reporting officer of a railroad will ordinarily determine the reportability or nonreportability of a casualty after an examination of all the evidence available to the railroad. The Commission, however, cannot delegate authority to private parties to decide matters of judgment where facts are in dispute. In all such instances, the decision must be that of the Commission alone. The reporting railroad may directly request a ruling as to reportability or it may report the case as "claimed but not admitted by carrier". These cases are given special examination by this Commission. Facts stated by a railroad which tend to refute the claim of an injured person are given consideration. When all the facts available to the Commission are found to be insufficient to prove the claim, the case will not be allocated to the reporting railroad. Such cases will be eliminated from the I. C. C. records and the reporting officer of the carrier advised of the action taken in the matter.

§ 125.17 Joint operations. "Joint operations" is a term intended to cover operations conducted on terminal or other tracks used jointly or in common by two or more reporting carriers, or where the equipment of one carrier moves as its own train over the track of another carrier.

Locomotives, with or without crews, if loaned or leased by one carrier to another, are not thereby made subject to the rules relative to "joint operations".

Trains or locomotives of a nonreporting carrier which may become involved in reportable accidents on the line of a reporting carrier do not fall under the rules pertaining to "joint operations"; such accidents, however, should be included in the report of the reporting carrier.

If a reportable accident occurs on a private siding or track of like character, it should be reported by the carrier having possession of the locomotive concerned or employing the persons involved, but not as a joint-operation accident.

The question of responsibility among carriers for accidents classifiable under the rules applicable to joint operations is not to be considered in relation to the making of reports concerning them, but all carriers involved should make reports as respectively required.

(a) Train accidents resulting in casualties and damage to equipment, track, or roadbed, in excess of \$750 or collisions and derailments with damage to equipment, track, or roadbed in excess of \$750, occurring on tracks used by two or more reporting carriers should be severally reported by the carrier or carriers whose equipment or employees are involved and the carrier whose superintendent is in immediate charge of the track on which the accident occurs. Each carrier concerned in such an accident should report the casualties, if any, and the damage to its equipment and other items of expense as provided in the report form and state (estimating, if unknown) the casualties, if any, and the amount of damage sustained by the other carriers involved, the names of which should be respectively indicated before casualties and the items of damage.

If a reportable train accident, though occurring on jointly used track, involves only the equipment and employees of the carrier whose superintendent is in immediate charge of such track, the accident need be reported only by the carrier concerned.

(b) Train-service accidents occurring on terminal or other tracks used jointly or in common by two or more reporting carriers involving employees on duty should be reported by each of the carriers concerned. Casualties to other persons should be reported by the carrier whose equipment is involved.

(c) Casualties to railroad employees on an adjacent track of another railroad should be reported by both railroads, whether or not a joint operation is involved.

(d) In all cases involving joint operation, whether one or more trains are involved, each carrier will be allocated casualties to all persons on its own train. Casualties to employees not on train, whether on or off duty, will be allocated to the employing railroad. Casualties to all other classes of persons not on train will be allocated to the railroad on whose tracks the accident occurred.

CLASSIFICATION OF RAILROAD ACCIDENTS

§ 125.21 Primary groups and their definitions. Reportable railroad accidents are divided into three groups which are:

- Group I. Train accidents,
- Group II. Train-service accidents, and
- Group III. Nontrain accidents.

(a) **Group I. Train accidents** are those arising directly from the operation or movement of trains, locomotives, or cars which result in:

- (1) A reportable casualty with more than \$750 damage to equipment, track, or roadbed;¹ or
- (2) Collisions or derailments with more than \$750 damage to equipment, track, or roadbed.¹

¹ Excluding cost of clearing wreck.

(b) *Group II. Train-service accidents* are those arising directly from the operation or movement of trains, locomotives, or cars which result in a reportable casualty but not more than \$750 damage to equipment, track or roadbed.¹

(c) *Group III. Nontrain accidents* are those which do not result directly from the operation or movement of trains, locomotives, or cars. They include those specific reportable casualties resulting from movements of locomotives or cars made by shop employees on shop tracks as well as all reportable casualties that occur where no locomotive or car operation or movement was involved but which are includable under § 125.11.

GROUP I—TRAIN ACCIDENTS

§ 125.22 *Classification.* Train accidents should be classified as:

(a) A collision (class C) which is a violent impact of a train, locomotive, or car with some other train, locomotive, or car while both are on rails. Accidents, however, in which cars, not in suitable condition to withstand common train usage, that, when coupled in trains, may be damaged through ordinary train movements, should be classified as other train accidents, and not as collisions. (Accidents caused by trains, etc., striking bumping posts, or track motor cars and like roadway machines not equipped with A. A. R. couplers except when operating under train rules and subject to the protection afforded to trains, are not classifiable as collisions.)

Reports of collisions, in addition to furnishing the information required by sections of these rules having general application, should describe briefly the method of operation in use for the track involved, stating whether a signal system was in use, and, if in use, whether it was manual, controlled manual or automatic block; interlocking or C. T. C.; cab signals or automatic train control.

For collisions involving any question of train orders, the information should show whether they were on Form "19" or Form "31" (A. A. R. Standard Code of Train Rules).

In the case of a collision, the number of main tracks in use in the locality of the accident should be stated.

Collisions should be classified as follows:

(1) *Rear-end collisions:* A rear-end collision is a collision in which the trains or locomotives involved are bound in the same direction on the same track.² Collisions in which all of the equipment involved is employed in a switching movement are to be included in subparagraph (7) of this paragraph.

(2) *Head-on collisions:* A head-on collision is a collision in which the trains or locomotives involved are bound in opposite directions on the same track.³ Collisions in which all of the equipment involved is employed in a switching

movement are to be included in subparagraph (7) of this paragraph.

(3) *Broken-train collisions:* A broken-train collision is a collision in which a moving train breaks into parts and a violent impact of two or more of the uncoupled parts of the same train occurs, or one or more of the parts collide with another train, locomotive, or car. Collisions in which all of the equipment involved is employed in a switching movement are to be included in subparagraph (7) of this paragraph.

(4) *Side or raking collisions:* This class does not include collisions of trains with cars classifiable under subparagraph (6) of this paragraph or collisions of equipment employed in switching movements classifiable under subparagraph (7) of this paragraph. An accident caused by parts of equipment on one track coming in contact with equipment on a separate track as a result of a derailment should be classified as a derailment while one due to bulging equipment or improper loading of cars, unless a derailment occurs, should be classified as another train accident.

(5) *Crossing collisions at railroad crossings:* The term "crossing collisions at railroad crossings" is used herein to mean collisions occurring at crossings or junctions involving trains, locomotives, or cars operated on intersecting tracks.⁴ This class does not include accidents due to striking automobiles or other highway vehicles.

(6) *Collisions of trains with cars not in trains:* This class does not include collisions of trains with cars, operating under train rules and subject to the protection afforded to trains, which should be classified under subparagraphs (1), (2), (3), (4), or (5) of this paragraph in accordance with the circumstances of the particular case.

(7) *Switching collisions:* The term "switching collisions" is used herein to mean collisions occurring to equipment being switched, as in making up or breaking up trains, shifting or setting out cars, etc., including accidents to locomotives involved in such service. A collision should not receive this classification when two or more locomotives, trains, or cuts of cars are involved unless both or all such units of equipment are employed in switching movements at the time of accident, but it should be classified under subparagraph (1), (2), (3), (4), (5), (6), or (8) of this paragraph, in accordance with the circumstances of the particular case.

(8) *Collisions not elsewhere classifiable:* This class includes collisions between light locomotives moving to or from enginehouse or servicing facilities, and other collisions not elsewhere classifiable but does not include collisions between locomotives and cars when engaged in switching movements as described in subparagraph (7) of this paragraph.

¹Excluding cost of clearing wreck.
²The time-table or schedule direction should govern the classification of collisions in classes 125.22 (a) (1) and (a) (2) if at the time of the accident either of the trains or locomotives is at rest, or if its incidental movement temporarily differs from its schedule direction.

(b) A derailment (class D) is a failure of the tread of any wheel of a locomotive or car to set on the rail of the track the locomotive or car is intended to be on. (Does not include derailments of track motor cars and like roadway machines not equipped with A. A. R. couplers.) In reporting derailments the information required by provisions of these rules having general application should be furnished, and there should be indicated in particular, by initials and number, or name, the equipment causing the derailment.

If a derailment is the result of a public highway grade-crossing accident, a supplement to a Form T, in addition to a Form T, should be supplied.

If a derailment is the result of the breaking of a rail, a Form R, in addition to a Form T, should be supplied.

(c) *Other train accidents (class O)* include all train accidents other than collisions and derailments.

If any such other train accident is the result of a public highway grade-crossing accident, a supplement to a Form T, in addition to a Form T, should be supplied.

GROUP II—TRAIN-SERVICE ACCIDENTS

§ 125.23 *Train-service accidents.* (a) Train-service accidents (class S) include all other accidents of trains.

(b) If a train-service accident is the result of a public highway grade-crossing accident, a supplement to a Form T, in addition to a Form T, should be supplied.

GROUP III—NONTRAIN ACCIDENTS

§ 125.24 *Nontrain accidents.* Nontrain accidents should include those casualties which are outlined in § 125.31. The classification of persons to whom reportable casualties occur in nontrain accidents and the classification of such accidents should be in accordance with the "Instructions" given in Form V.

FORM AND ARRANGEMENT OF REPORTS

§ 125.25 *Forms used and duplicate reports.* (a) Monthly reports of railroad accidents should be made on forms provided by the Interstate Commerce Commission or on forms identical therewith in arrangement, size, and in color and weight of paper, and every reporting carrier is required to retain in its files a duplicate of each report rendered to the Commission. For the reporting railroads' files, this duplicate should also show the name or names of the casualty or casualties reported and the precise location at which the accident occurred.

(b) The forms provided, which are of five kinds, are designated as Form V, T, Supplement to T, R, and F.

(c) Each sheet of each report should show in the appropriate place the name of the company for which it is filed, the month and year to which the report relates, and all other particulars called for by the form. Each sheet of each report following Form V should bear the autograph signature of a responsible officer or employee.

§ 125.26 *Form V (Verification).* A report should be made on this form each month, even though no reportable (train,

train-service, or nontrain) accident occurred during the month covered. Such report should include an oath or verification, made by the proper officer of the reporting carrier, as provided for attestation on Form V, which should show the number of train and train-service accidents that occurred during the month for which the report is made, and the number of sheets, inclusive of Form V. If no reportable accident occurred during the month, that fact should be stated on this form. Form V should also show the total number of locomotive and motor-train miles run during the month, computed in accordance with Train-Mile, Locomotive-Mile and Car-Mile accounts in the Uniform System of Accounts for Railroad Companies prescribed by the Interstate Commerce Commission. If any reportable non-train accidents occurred during the month, they should be reported in the tables provided on Form V, but if none occurred, that fact should be stated as required.

§ 125.27 Form T (Train and train-service accidents). (a) A separate Form T sheet should be used for each reportable train accident or train-service accident and should show the required particulars concerning the accident.

(b) Information called for by each of the questions shown on T sheets should be supplied except in the instance of questions the answers to which would not be significant in which case the space provided for the answer should be blanked out.

§ 125.28 Supplemental Form T. A supplement to each Form T sheet also should be used for each reportable:

(a) Derailment due to highway grade-crossing accident.

(b) Other train accident due to a highway grade-crossing accident.

(c) Train-service accident due to a highway grade-crossing accident.

§ 125.29 Form R (Rail failures). In case of reportable train accidents resulting from rail failures, particulars of the failures should be reported on Form R, and all the information called for on that form should be furnished additionally to that required on Form T.

§ 125.30 Form F (Subsequent fatalities). If, as the result of an injury, a person dies more than 24 hours after the occurrence of the accident the casualty should be reported as an injury and, in addition, a memorandum of the death should be given on Form F in accordance with the requirements of that form. This additional report is to be made in connection with the report for the month in which the accident occurred, if practicable, otherwise it should separately accompany the first monthly report filed after the death has come to the knowledge of the carrier. A single Form F may contain reports of more than one such fatality, provided all persons included therein were injured during the same month.

§ 125.31 Classification symbols. Symbols indicating the class of train accidents or of train-service accidents and the class of persons involved should

be entered in the appropriate spaces on Form T as follows:

(a) *Class of accident.* Sheets carrying reports of collisions are to be marked C; those relating to derailments, D; those relating to other train accidents, O; and those relating to train-service accidents, S.

(b) *Class of person.* The designation of the class of person should include the applicable capital letter preceding the name of the class, to which should be added the number of the "Reporting Division" with such other descriptive detail as may be appropriate.

§ 125.32 Arrangement and numbering of sheets. (a) All the forms in a monthly report should be arranged in the order V, T, R, and F. Supplements to T sheets should follow the T sheet to which each refers. All Forms T should be further grouped in accordance with the character of the accidents and arranged in the order C, D, O, and S. Collisions should be subgrouped in order by subclasses; as, for example, all of C-1, followed by all of C-2, followed in turn by all of C-3, etc., throughout the series. All sheets are to be numbered consecutively, beginning with No. 1 for Form V each month. When properly arranged and numbered, all sheets including Form V, should be securely fastened.

(b) In no case should the report for any month include a Form T sheet completed for an accident that did not occur during the month covered by the report. Should it be discovered by a carrier that the report of a particular accident on a Form T has, through mistake or otherwise, been improperly omitted from its regular monthly accident report, the sheet covering such accident should be separately transmitted to the Bureau of Transport Economics and Statistics, with a suitable letter of explanation.

PARTICULARS TO BE REPORTED

§ 125.40 General. (a) The codes shown in the index § 125.55, have been designed, so far as that is practicable, to indicate the primary causes of the accidents reported. As to each specific reportable accident, the Reporting Officer should first examine all the evidence available to the railroad from which he should determine the cause of accident. The code number should be entered on the Form T sheet to be sent to the Interstate Commerce Commission.

(b) In addition to reporting the number of the code under which each accident should be classified, the Reporting Officer should supply sufficient information to not only enable the Interstate Commerce Commission to verify the code number selected but also to classify all other data called for as they pertain to each of the accidents reported.

§ 125.41 Yard. A system of tracks within defined limits provided for the making up or breaking up of trains, for the storing of cars, and for other purposes over which movements not authorized by timetable, or by train order, may be made, subject to prescribed signals and rules or under special instructions.

§ 125.42 Train, locomotives and cars. For the purpose of reporting railroad

accidents, a train is defined as a unit of equipment, or a combination of units of equipment (exclusive of light locomotives), in condition for movement over tracks by self-contained motor equipment. A locomotive is a self-propelled unit of equipment designed solely for moving other equipment. A light locomotive is a locomotive in condition for movement by its own motor equipment, uncoupled to cars, work equipment, or dead locomotives. A motor car is a self-propelled unit of equipment designed to carry freight or passenger traffic, and is not to be considered a locomotive. (Train or train-service accidents may result from the movement of cars without the use of a locomotive.) Track motor cars and like roadway machines not equipped with A. A. R. couplers are not regarded as "cars" within the meaning here used.

In reporting accidents involving trains, locomotives, or cars, sufficient particulars should be given to show definitely to which of the four classes of service described below the equipment was assigned. Definite information is required in this respect and descriptive terms of local application, such as "milk", "transfer", "mine", etc., should not be used to designate classes of trains. In connection with this matter, a light engine involved in an accident should be classified as belonging to that class of service to which its assignment at the time of the accident was related.

(a) *Transportation service:* Freight includes trains run between terminals or stations containing loaded or empty freight-train cars and trains consisting of a locomotive and caboose running light in connection with such service. Trains which contain passenger-train cars shall be classed as freight trains whenever the number of freight-train cars is in excess of the number of passenger-train cars in them.*

(b) *Transportation service: Passenger* includes trains run between terminals or stations containing loaded or empty passenger-train cars. Trains which contain freight-train cars shall be classed as passenger trains whenever the number of passenger-train cars is in excess of the number of freight-train cars in them.*

(c) *Work service* includes nonrevenue trains run in the administration and upkeep service of the railroad, such as official trains, inspection trains, pay trains, special trains running with company fire apparatus to save the railroad's property from destruction, and trains run for the purpose of transporting the railroad's employees to and from work when no transportation charge is made; wrecking trains; construction and upkeep trains run in connection with maintenance and improvement work, the cost of operating such trains being chargeable to the appropriate capital or maintenance accounts for rail-line operations; and material and supply trains run in connection with operation.

Work service trains do not include solid fuel trains and other freight trains

* Passenger-equipped box or refrigerator cars are counted as passenger-train cars.

laden with company material and running from station to station under the same operating conditions as ordinary revenue freight trains.

(d) Yard service includes the handling of equipment being switched or used in switching other equipment, as, for example, in making up or breaking up trains, serving industrial tracks, storing, weighing, or classifying cars, and other like operations. Operations incidental to a road run when performed by a road train crew are not included.

When significant, state the number of cars in the train; where and when locomotives, cars, and brakes were last inspected; and under what orders the train was moving and what were its rights of track at the particular time and place of the accident.

§ 125.43 Negligence of employees. (a) All of the codes of causes in § 125.55 numbered between 1000 and 1999, and some but not all of those numbered between 6000 and 6999, refer to those situations in which it is known that the direct or immediate cause of the train or train-service accident was the negligence, mistake, or misconduct of railroad employees. These include such matters as, for example, improper handling of switches, misunderstanding of or error in giving signals, excessive speed in violation of instructions, failure of trackmen to protect while replacing rails, etc.

(b) All of the codes of causes not specifically referred to in the preceding paragraph refer to those situations in which it is known that the direct or immediate cause of the accident was not the negligence, mistake, or misconduct of railroad employees. In these instances there may or may not be present an indirect negligence of railroad employees which contributed to the accident. These include such matters as, for example, the failure of inspectors or maintenance men to discover defects in equipment, track, and roadbed. Because a complete knowledge of these matters cannot be acquired, it is not practicable to place such accidents in usable categories which would indicate contributory negligence. Therefore they should be reported in their proper codes as defects.

(c) There is another form of contributory negligence which is brought about by a prior direct negligence. For example, the prior negligence of a first crew in running through a switch may be the contributing cause of a following train being derailed. But to the crew of the following train, this accident was due to a defective switch and not necessarily its own negligence. Such an accident should be reported under the proper one of the cause codes which go to defective track.

§ 125.44 Defective equipment. All of the codes of causes in § 125.55 numbered 2000 to 2999, and some but not all of those numbered between 6000 and 6999, refer to those situations in which it is known that defects in or failure of equipment were the direct or immediate cause of the train or train-service accident. The report should show, whenever significant, details as to:

Number and initials of locomotive or car. Manufacturer and type of equipment or part.

Weight, number and other identifying marks.

Year of manufacture and year of placing in service.

When, where, and by what class of employees the equipment was last inspected, whether any defects were noted, and, if any, what remedies were applied.

The following relates to explanation of certain specific codes:

(a) On locomotives other than steam, Code 2110, relates only to fires in wiring connecting electrical apparatus. Fires within electrical apparatus should be listed under the respective kinds of electrical equipment involved (see Codes 2103 to 2107, inclusive).

(b) Fires caused by steam generating boiler or appurtenances should be coded under that equipment in Code 2109 and not in Code 2112.

(c) Body center plate should be coded in Code 2212 along with truck center plate and not in car structure Code 2703.

(d) Body side bearings should be coded in Code 2215 and not in Code 2703.

(e) Modified friction type journal bearing assemblies, referred to in Codes 2206, 2319, and 2322, are intended to cover all forms of improvements in A. A. R. standard oil and waste friction bearing assemblies which utilize the friction bearing (as contrasted with roller bearings, Codes 2207, 2320 and 2323), and include such features as waste retainers, sealed journal boxes, fitted bearings, iron bearings, pads, rings or other non-waste lubrication, etc., or a combination of these features.

(f) Axle journals broken "cold", referred to in Codes 2318, 2319, and 2320, are intended to include axle journals which have been subjected to burning by previous hot boxes, including those which were reclaimed by turning off the burned portion and restored to service.

(g) Accidents caused by wheels broken or rendered otherwise defective as a result of defective or improperly operated brakes should be coded under the proper wheel codes, numbered 2301 to 2316, rather than under codes relating to brakes in the 2400 or 2500 series or under negligence codes. Where a wheel causes an accident due to being unable to rotate because of, for example, a seized armature bearing or a seized journal roller bearing, the accident should be coded under the proper defective part which seized namely Codes 2104 or 2207.

(h) Couplers pulled out or down by defective sills (Code 2615) relate to defects in that portion of the center sills between the bolster and the end of the car. Other sills, such as end or side sills may be incidentally damaged thereby, but all accidents caused by defective side sills, end sills and the portion of the center sill between bolsters not involving a pulled-out coupler should be coded under Code 2701.

§ 125.45 Defective way and structures. All of the codes of causes in § 125.55 numbered 3000 to 3999, and some but not all of those numbered between 6000 and 6999, refer to those situations in which it

is known that defects in or improper maintenance of way and structures were the direct or immediate cause of the train or train-service accident, including accidents which occur as the result of ordinary wear and weather conditions. This category does not, however, include accidents due to such conditions as are named in § 125.46 below. The report should show, whenever significant:

Manufacture and type of apparatus or part.

Weight, number, and other identifying marks.

Year of manufacture and year of placing in service.

When and by what class of employee inspected, whether any defects were noted, and, if any, what remedies were applied.

The following relates to explanation of certain specific codes:

(a) Rail with welded joints, Codes 3202, 3204, 3302, 3307, and 3308 relate to track where at least one end of each rail is welded to the adjoining rail.

(b) All Codes 3400 to 3499 covering special work, namely switches, crossings, derails, etc., should have failure or absence of bolts, nuts, lockwashers, etc., holding the respective parts coded under the part indicated. For example, switch lug bolt defects should be classified under Code 3413 Switch lug or rod.

(c) The codes provided for signal failures are substantially the same as the causes specified by the Interstate Commerce Commission, Bureau of Safety and Service, except that "Undetermined" causes should not be included under Codes 3500 to 3599 but should be classified as "Unascertained Causes" under the 4900 to 4999 series.

(d) Mules (sometimes called barney cars), referred to in Code 3914 are car pushers operated by cables on narrow gage track between standard gage track to lift cars up an incline for unloading. This code covers all related parts including the operating cables. Winches and similar car moving devices are also included in Code 3914.

(e) Train accidents caused by mechanical locomotive or car washing machines should be classified in Code 3918.

§ 125.46 Accidents due to miscellaneous causes. (a) Included in this category are train accidents in codes of causes numbered 4000 to 4999 in § 125.55, and train-service accidents in codes of causes numbered 6900 to 6999.

(b) Train accidents which are reportable under § 125.15 (b) or (c) and are due to extraordinary forces of nature, as defined by the U. S. Weather Bureau, should be classified in the codes of causes numbered 4300 to 4399 and include such causes as obstructions of track due to floods, earthquakes, hurricanes, tornadoes, and electrical storms, in contrast to causes involving defective maintenance of way and structures, and wear and tear due to use and ordinary weather conditions, which are classified by codes numbered 3000 to 3999 (see § 125.45 above). An exception is that all signal or interlocking apparatus failures caused by lightning are classifiable under appropriate Codes 3505, 3515 or

3535 respectively and not in the 4300 to 4399 series. Also classifiable under 4300 to 4399 codes are accidents, such as those caused by destruction or damage of bridges or timber tunnel linings by accidental fires, which are reportable under § 125.15 (b) and (c).

(c) To be included in this category also are accidents caused by coal, ballast or parts of equipment or lading of another train falling on or afoul of track, throwing track out of alignment or wedging in switch, and other unforeseen happenings or obstructions of similar character. Parts of the equipment or lading of a train which, by falling on or afoul of the track, cause an accident to the same train, are not to be regarded as obstructions classifiable under 4300 to 4399 codes, but should be properly classified under other appropriate codes.

§ 125.47 *Casualties.* In reporting casualties to persons, personal injuries should be sufficiently described to indicate:

(a) The part of body injured and the specific nature and extent of the injury received which should be reported in sufficient detail to enable the Interstate Commerce Commission to classify the injury. Indefinite terms such as "mashed", "crushed", "injured", "hurt", etc., should not be used. In case of loss of any part, the extent should be indicated, as, for example, tip of index finger of right hand, two middle fingers to second joint of left hand, left arm to elbow, loss of right eye, etc.

(b) The actual number of days of disability if ascertained at the time the report is made but, if the disability has not terminated by that time or is not ascertainable, an estimate of the number should be shown in the appropriate column on Form T, or the absence of an estimate fully explained. When the injury is of a permanent nature, that fact may be stated in lieu of the number of days' disability.

(c) The degree to which the person is maimed, if at all.

§ 125.48 *Damage.* (a) The question on Form T which calls for the amount of damage occasioned by an accident should be answered only in the case of train accidents. The question should not be answered as to train service or nontrain accidents.

(b) Amounts of damage should not only include damage to equipment (including damage to foreign cars), track, or roadbed of the reporting railroad but should include comparable expenses of all reporting railroads. Other expenses of reporting railroads occasioned by the accident (such as overhead, cost of clearing wrecks, loss and damage, etc.), all expenses of nonreporting railroads, and contingent expenses because of personal injuries are not to be included. If the amount of damage is not known at the time the report is filed, it should be estimated as accurately as practicable and the fact that it is estimated should be stated.

CLASSIFICATION OF PERSONS

§ 125.50 *Classification of persons.* For the purpose of permitting an appropriate classification, sufficient particulars of

each person involved in a train or train-service accident should be given on Form T. The aggregate of all persons of each class involved in all railway accidents should be given on Form V.

The classes "employees" (A and B) apply to any person having such classification or relationship to a reporting railroad. As used herein, it is intended to include every person in the service of the reporting carrier who is subject to its continuing authority to supervise and direct the manner of rendering his service.

When a casualty is known or believed to be an employee of another reporting railroad that fact should be stated and appropriate class symbols indicating the customary occupation of the employee, with the name of the railroad by which he is employed, should be entered.

(a) *Employees on duty, class (A).* (1) Employees on duty are those persons who are engaged in the operation of a railroad as herein defined in § 125.11, or who are customarily engaged in other work than that defined in § 125.11 but who, in the course of duty, may be required to engage in some of the work herein defined in § 125.11; or on occasion be exposed, in the performance of required duty, to the operation of a railroad as herein defined in § 125.11.

(2) Ordinarily the fact that the employee is or is not under pay will determine whether he is or is not "on duty". There may, however, be exceptions such as employees "trading time" or doing work which they are expected to do but actually perform before pay starts or after pay stops. Such persons must be considered as "employees on duty".

(b) *Employees not on duty, class (B).* (1) Employees not on duty are those persons who are on railroad property, before and after duty; for purposes connected with their employment; or with other railroad permission. An employee is "not on duty" until he actually begins duty in the operation of a railroad as herein defined in § 125.11 above; while he has been relieved from the performance of any and all service for a definite time; when he has wilfully left the vicinity of his post of duty contrary to accepted or tolerated practice; or when he has completed his duty.

(2) Employees (including members of train and engine crews deadheading between terminals) on trains for the purpose of travel and riding in that part of the train assigned to the use of passengers should be included in class (D) as passengers. Employees trespassing should be included in class (F) as trespassers.

(c) *List of employee reporting divisions.* The following list of 128 Reporting Divisions into which all the distinctive classes of railroad positions are grouped is derived from the "Rules Governing the Classification of Steam Railroad Employees and Reports of Their Service and Compensation" prescribed by the Interstate Commerce Commission to be effective on January 1, 1951 (49 CFR 127.1-127.7). The returns on all accident report forms

should, with respect to the classification of employees, be made in conformity with these Reporting Divisions. For each employee reported on Form T as killed or injured there should be given the correct number of the Reporting Division to which the employee is properly assignable, and also the payroll or distinctive class title of his occupational position. The letter (A) or (B) should be used to indicate respectively whether he was on or off duty at the time of accident. Abbreviations or contractions may be used in the indication of position titles if their meaning is sufficiently clear. For example, to indicate a casualty sustained by a road freight brakeman (through freight) on duty, the proper designation of class of person on Form T should be A-117, Road freight brakemen and flagmen (through freight), while that of a casualty incurred in a train or train-service accident by a train attendant on duty would be A-101, Train attendants.

LIST OF REPORTING DIVISIONS FOR EMPLOYEES

Division No.	Reporting division
I. EXECUTIVES, OFFICIALS, AND STAFF ASSISTANTS	
1	Executives, general officers, and assistants.
2	Division officers, assistants, and staff assistants.
II. PROFESSIONAL, CLERICAL, AND GENERAL	
3	Professional and subprofessional assistance.
4	Supervisory or chief clerks (major departments).
5	Chief clerks (minor departments) and assistant chief clerks and supervising cashiers.
6	Clerks and clerical specialists (A).
7	Clerks (B) and (C).
8	Mechanical device operators (office).
9	Stenographers and secretaries (A).
10	Stenographers and typists (B).
11	Storekeepers, sales agents, and buyers.
12	Ticket agents and assistant ticket agents.
13	Traveling auditors or accountants.
14	Telephone switchboard operators and office assistants.
15	Messengers and office boys.
16	Elevator operators and other office attendants.
17	Lieutenants and sergeants of police.
18	Patrolmen and watchmen.
19	Traffic and various other agents, inspectors, and investigators.
20	Claim agents or investigators.
21	Freight claim agents or investigators.
22	Chief claim agents or investigators.
23	Miscellaneous trade workers (other than plumbers).
24	Motor vehicle and motor car operators.
25	Teamsters and stablemen.
26	Janitors and cleaners.
III. MAINTENANCE OF WAY AND STRUCTURES	
27	Roadmasters, general foreman, and assistants.
28	Maintenance of way and scale inspectors.
29	Bridge and building gang foremen (skilled labor).
30	Bridge and building carpenters.
31	Bridge and building ironworkers.
32	Bridge and building painters.
33	Masons, bricklayers, plasterers, and plumbers.
34	Maintenance of way and structures helpers and apprentices.
35	Portable steam equipment operators.
36	Portable steam equipment operator helpers.
37	Pumping equipment operators.
38	Gang foremen (extra gang and work-train laborers).
39	Gang foremen (bridge and building, signal and telegraph laborers).
40	Gang or section foremen.
41	Extra gang men.
42	Section men.
43	Maintenance of way laborers (other than track and roadway) and gardeners and farmers.
44	General and assistant general foremen and inspectors (signal, telegraph, and electrical transmission).
45	Gang foremen (signal and telegraph skilled trades labor).
46	Signalmen and signal maintainers.
47	Linemen and groundmen.
48	Assistant signalmen and assistant signal maintainers.
49	Signalmen and signal maintainer helpers.

LIST OF REPORTING DIVISIONS FOR
EMPLOYEES—Continued

Division No.	Reporting division
IV. MAINTENANCE OF EQUIPMENT AND STORES	
50	General, assistant general, and department foremen.
51	General and assistant general foremen (stores).
52	Equipment, shop, electrical, material and supplies inspectors.
53	Gang foremen and gang leaders (skilled labor).
54	Blacksmiths.
55	Boilermakers.
56	Carmen (A and B).
57	Carmen (C and D).
58	Electrical workers (A).
59	Electrical workers (B).
60	Electrical workers (C).
61	Machinists.
62	Molders.
63	Sheet-metal workers.
64	Skilled trades helpers (M. of E. and stores).
65	Helper apprentices (M. of E. and stores).
66	Regular apprentices (M. of E. and stores).
67	Couch cleaners.
68	Gang foremen (shops, engine houses, and power plants).
69	Gang foremen (stores and ice, reclamation, and timber-treating plants).
70	Classified laborers (shops, engine houses, and power plants).
71	General laborers (shops, engine houses, and power plants).
72	General laborers (stores and ice, reclamation, and timber-treating plants).
73	Stationary engineers (steam).
74	Stationary firemen, oilers, coal passers, and water tenders.
V. TRANSPORTATION (OTHER THAN TRAIN ENGINE, AND YARD)	
75	Chief train dispatchers.
76	Train dispatchers.
77	Train directors.
78	Station agents (supervisory, major stations, non-telegraphers).
79	Station agents (smaller stations, non-telegraphers).
80	Station agents (telegraphers and telephoners).
81	Chief telegraphers and telephoners or wire chiefs.
82	Clerk-telegraphers and clerk-telephoners.
83	Telegraphers, telephoners, and towermen.
84	Stationmasters and assistants.
85	Supervising baggage agents.
86	Baggage agents and assistants.
87	Baggage, parcel room, and station attendants.
88	General foremen (freight stations, warehouses, grain elevators, and docks).
89	Assistant general foremen (freight stations, warehouses, grain elevators, and docks).
90	Gang foremen (freight station, warehouse, grain elevator, and dock labor).
91	Callers, loaders, sealers, scalers, and perishable-freight inspectors.
92	Truckers (stations, warehouses, and platforms).
93	Laborers (coal and ore docks and grain elevators).
94	Common laborers (stations, warehouses, platforms, and grain elevators).
95	Stewards, restaurant and lodging-house managers, and dining-car supervisors.
96	Chefs and cooks (restaurants or dining cars).
97	Waiters, camp cooks, kitchen helpers, etc.
98	Officers, workers, and attendants on barges, launches, ferry boats, towing vessels, steamers, and shore workers.
99	Transportation and dining-service inspectors.
100	Parlor and sleeping car conductors.
101	Train attendants.
102	Bridge operators and helpers.
103	Crossing and bridge flagmen and gatemen.
104	Foremen (laundry) and laundry workers.
VI (a). TRANSPORTATION (YARDMASTERS, SWITCHTENDERS, AND HOSTLERS)	
105	Yardmasters.
106	Assistant yardmasters.
107	Switch tenders.
108	Outside hostlers.
109	Inside hostlers.
110	Outside hostler helpers.
VI (b). TRANSPORTATION (TRAIN AND ENGINE)	
111	Road passenger conductors.
112	Assistant road passenger conductors and ticket collectors.
113	Road freight conductors (through freight).
114	Road freight conductors (local and way freight).
115	Road passenger baggage men.
116	Road passenger brakemen and flagmen.
117	Road freight brakemen and flagmen (through freight).
118	Road freight brakemen and flagmen (local and way freight).
119	Yard conductors and yard foremen.
120	Yard brakemen and yard helpers.
121	Road passenger engineers and motormen.

LIST OF REPORTING DIVISIONS FOR
EMPLOYEES—Continued

Division No.	Reporting division
VI (b). TRANSPORTATION (TRAIN AND ENGINE)—continued	
122	Road freight engineers and motormen (through freight).
123	Road freight engineers and motormen (local and way freight).
124	Yard engineers and motormen.
125	Road passenger firemen and helpers.
126	Road freight firemen and helpers (through freight).
127	Road freight firemen and helpers (local and way freight).
128	Yard firemen and helpers.

(d) *Passengers on trains, class (D).* Passengers on trains are those persons who are on, or boarding, or alighting from, railroad cars for the purpose of travel.

(e) *Nontrespassers, class (E).* Nontrespassers are those persons who are lawfully on that part of railroad property which is used in railroad operation, as herein defined in § 125.11 above, other than those herein defined as employees, passengers, or trespassers, and persons adjacent to railroad premises when injured as the result of the operation of a railroad.

(f) *Trespassers, class (F).* (1) Trespassers are those persons who are on that part of railroad property which is used in railroad operation, as herein defined in § 125.11, whose presence is prohibited, or forbidden, or unlawful.

(2) Whenever persons are classed as "trespassers" the report should state the circumstances that warrant such a classification and, if possible, the regular occupation of such persons killed or injured.

(3) A person should not be classed as a trespasser on a highway grade crossing unless the crossing is protected by gates, or other similar barriers, which were closed when the person went on the crossing, or unless the person attempted to pass over or under trains or cars at the crossing.

CODES FOR ACCIDENT REPORTING

§ 125.55 *Codes for accident reporting.* The following contains information pertaining to the codes that are to be used in connection with accident reports. Certain codes should be inserted by the Reporting Officer in reports furnished to the Commission; namely, the following:

(a) On Form T, Class of Person.
(b) On Form T, Reporting Division number and title of employee's position (from list in § 125.50).

(c) On Form T, cause of train or train-service accident (to be looked up in Alphabetical Index).

(d) On Form V, cause of nontrain accident (from list).

(e) On Form V Section A, Reporting Division number and title from list in § 125.50.

All other coding will be done by the Commission.

TRAINS OR CARS

1. Freight.
2. Passenger.
3. Work.
4. Yard.

5. Train, handled by hostler.
6. Standing cars.
7. Runaway cars.
8. Industrial.
9. Unknown.

KIND OF EQUIPMENT

1. Locomotive.
2. Freight-train car (or work equipment), or
3. Passenger-train car (including rail motor car).

KIND OF TRACK

1. Main line track.
2. Branch line track, or
3. Way switching, yard switching, or other track.

HIGHWAY CROSSING PROTECTION

0. Gates, automatic.
1. Gates, manual.
2. Watchman.
3. Employee other than watchman.
4. Audible and visual signal.
5. Audible signal.
6. Visual signal.
7. Fixed signs.
8. Unprotected.

CLASS OF PERSON

- Employees on duty (A).
Employees not on duty (B).
Passengers (D).
Nontrespassers (E).

TRESPASSERS—EMPLOYEES

- Trespassers, employees (F):
1. Walking along track (a).
 2. Crossing tracks at public highway crossings (b).
 3. Crossing tracks at other places (c).
 4. On or getting on or off trains (d).
 5. Not otherwise classed (e).

TRESPASSERS—OTHER THAN EMPLOYEES

- Trespassers, under 14 years of age (G):
1. Walking along track (a).
 2. Crossing tracks at public highway crossings (b).
 3. Crossing tracks at other places (c).
 4. On or getting on or off trains (d).
 5. Not otherwise classed (e).
- Trespassers, 14 to 21 years of age (H):
1. Walking along track (a).
 2. Crossing tracks at public highway crossings (b).
 3. Crossing tracks at other places (c).
 4. On or getting on or off trains (d).
 5. Not otherwise classed (e).
- Trespassers, adult hoboos or tramps (I):
1. Walking along track (a).
 2. Crossing tracks at public highway crossings (b).
 3. Crossing tracks at other places (c).
 4. On or getting on or off trains (d).
 5. Not otherwise classed (e).
- Trespassers, adults except hoboos or tramps (J):
1. Walking along track (a).
 2. Crossing tracks at public highway crossings (b).
 3. Crossing tracks at other places (c).
 4. On or getting on or off trains (d).
 5. Not otherwise classed (e).

NATURE OF INJURY

1. Bruise.
2. Sprain or strain.
3. Cut or laceration.
4. Electrical shock or burn.
5. Other burn.
6. Dislocation.
7. Fracture.
8. Amputation.
9. Not classifiable above, such as concussion, nervous shock, internal injuries, etc.

Each of the above classes should be subdivided to show the part of the body injured and other information as follows:

1. One eye, causing blindness therein.
2. Both eyes, causing total blindness.

3. Other injury to eyes.
4. Scalp.
5. Nose.
6. Ears.
7. Mouth or teeth.
8. Skull.
9. Face or head (other part).
10. Collar bone.
11. Ribs.
12. Spine.
13. Back (other part).
14. Chest (other part).
15. Abdomen (not internal injury).
16. Other body injury (external).
17. Internal body injury.
18. Private parts.
19. Shoulder.
20. Upper arm.
21. Elbow.
22. Lower arm.
23. Wrist.
24. Hand.
25. Finger or thumb.
26. Hip.
27. Upper leg.
28. Knee.
29. Lower leg.
30. Ankle.
31. Foot.
32. Toes.
33. Heel.

STATES AND TERRITORIES

1. Alabama.
2. Arizona.
3. Arkansas.
4. California.
5. Colorado.
6. Connecticut.
7. Delaware.
8. Florida.
9. Georgia.
10. Idaho.
11. Illinois.
12. Indiana.
13. Iowa.
14. Kansas.
15. Kentucky.
16. Louisiana.
17. Maine.
18. Maryland.
19. Massachusetts.
20. Michigan.
21. Minnesota.
22. Mississippi.
23. Missouri.
24. Montana.
25. Nebraska.
26. Nevada.
27. New Hampshire.
28. New Jersey.
29. New Mexico.
30. New York.
31. North Carolina.
32. North Dakota.
33. Ohio.
34. Oklahoma.
35. Oregon.
36. Pennsylvania.
37. Rhode Island.
38. South Carolina.
39. South Dakota.
40. Tennessee.
41. Texas.
42. Utah.
43. Vermont.
44. Virginia.
45. Washington.
46. West Virginia.
47. Wisconsin.
48. Wyoming.
49. District of Columbia.
50. Alaska.
51. Hawaii.
52. Puerto Rico.

CODE OF CAUSES

TRAIN ACCIDENTS

1. NEGLIGENCE OF EMPLOYEES

TRAIN ORDERS

1001. Error in transmission or copying, telegraph.
1002. Error in transmission or copying, telephone.
1003. Error in transmission or copying, radio.
1004. Misunderstanding by train or engine crew.
1005. Other improper handling by dispatcher.
1006. Other improper handling by operator.
1007. Other improper handling by train or engine crew (including failure to pick up, read or obey).
1008. Other negligence in connection with train orders.*

CAB SIGNALS

1101. Operation of train contrary to cab signal indications without authority to do so.
1188. Other negligence in connection with cab signals.*

AUTOMATIC TRAIN CONTROL

1201. Failure to operate train in accordance with signal indications after forestalling.
1288. Other negligence in connection with automatic train control.*

FIXED SIGNALS

1302. Train order signal improperly displayed.
1303. Manual block signal improperly displayed.
1304. Other signal improperly displayed (involving negligence).
1305. Failure to regard indication of switch indicator.
1306. Failure to stop at stop signal or sign.
1307. Exceeding restricted speed after passing signal displaying restricted speed indication.¹
1308. Exceeding restricted speed after stopping at signal displaying "stop, then proceed at restricted speed" indication.¹
1309. Failure to control speed so as to stop at next signal after passing signal displaying "stop at next signal" indication, including failure to immediately reduce speed to medium speed² on passing such signal.
1310. Exceeding medium speed after passing signal displaying medium speed indication.²
1311. Failure to provide flagging protection ahead of train after stopping at stop signal requiring such protection before train may pass signal.
1312. Other operation of train contrary to fixed signal indications without authority to do so.
1388. Other negligence in connection with fixed signals.*

HAND SIGNALS (INCLUDING LANTERN SIGNALS)

1401. Failure to give hand signals.
1402. Failure to pass hand signal, including failure to be in position to pass.
1403. Failure to regard hand signal, including failure to watch for.
1404. Failure to stop when hand signal could not be seen.

*Including information insufficient to classify.

¹Restricted speed is defined as speed such as to permit stopping short of any obstruction and in no case exceeding 20 m. p. h.

²Medium speed is defined as speed not exceeding 40 m. p. h.

1405. Wrong hand signal given.
1406. Misunderstanding of hand signals given by member of own train or yard crew.
1407. Acceptance of hand signal given by member of another train or yard crew.
1488. Other negligence in connection with hand signals.

TRAIN FLAGGING (INCLUDING USE OF LANTERNS, TORPEDOES AND FUSEES)

1501. Failure to flag.
1502. Failure to go back or ahead a sufficient distance.
1503. Torpedoes, failure to use or place properly.
1504. Fusees, failure to use or place properly.
1505. Other improper flagging, including failure to carry flagman's equipment.
1506. Failure to regard flag, including failure to watch for.
1507. Torpedoes, failure to regard.
1508. Fusees, failure to regard.
1588. Other negligence in connection with train flagging.*

AIR BRAKES

1601. Insufficient air pressure, failure of engineman to regard.
1602. Improperly releasing air brakes.
1603. Emergency or severe application from locomotive, unjustifiable.
1604. Failure to make prompt use of air brakes upon dynamic braking becoming inoperative.
1605. Failure to make prompt use of pneumatic air brakes upon electro-pneumatic brake becoming inoperative.
1606. Improper handling of independent straight air brake.
1607. Other improper handling by engineman.
1608. Failure to test.
1609. Application from train, unjustifiable.
1610. Pressure retaining valves, failure to set sufficient number.
1611. Pressure retaining valves, failure to reset after descending hill.
1612. Failure to have sufficient air brakes in service.
1613. Air not fully coupled.
1614. Other improper handling of air brakes by train or yard crew.
1688. Other negligence in connection with air brakes.*

HAND BRAKES

1701. Failure to control by hand brake.
1702. Failure to secure by hand brake including failure to set hand brakes on sufficient number of cars.
1703. Failure to test properly.
1704. Premature release of hand brake.
1788. Other negligence in connection with hand brakes.*

SWITCHES

1801. Hand-operated switch, improperly set.
1802. Hand-operated switch, thrown under train.
1803. Hand-operated switch, failure to latch or secure lever.
1804. Hand-operated switch, failure to see that points fitted up.
1805. Reverse movement before train had cleared spring switch.
1806. Equipment fouling switch.
1888. Other negligence in connection with switches.*

OTHER FORMS OF NEGLIGENCE

1901. Excessive speed or failure to control in yard limits.
1902. Excessive speed in other than yard limits.
1903. Headlight improperly used.
1904. Superior train, failure to clear.

1905. Meeting point, overrunning.
 1906. Disregard of slow flag or other protection placed by maintenance or other nontrain employees.
 1907. Failure to whistle or otherwise warn in accordance with rules or instructions.
 1908. Failure to sufficiently reduce speed in accordance with rules or instructions where view was obstructed by weather conditions.
 1909. Failure to sufficiently reduce speed in accordance with rules or instructions where view was obstructed by other than weather conditions.
 1910. Failure of engineman to keep proper lookout, not otherwise classified.
 1911. Intentional movements of locomotives, trains or cars, not authorized.
 1912. Locomotives, trains or cars improperly secured, unexpected movement of.
 1913. Low water in locomotive boiler.
 1914. Premature opening of cover plates on diesel locomotive crankcase, after overheating of lubricating oil.
 1915. Other improper handling of locomotives, rail motor cars or trains by enginemen.
 1916. Running of locomotive or rail motor car by unauthorized person.
 1917. Absence of man on or at leading car being pushed.
 1918. Cutting off cars at excessive speed.
 1919. Cutting off cars without rider to control.
 1920. Failure or inability of rider to get on cars to control.
 1921. Failure to sufficiently slow down cars in retarder.
 1922. Stop or excessively slow down cars in retarder.
 1923. Failure to place skate ahead of car.
 1924. Failure to remove skate from under car.
 1925. Failure to return skate to skate-placing mechanism.
 1926. Attempted or actual coupling at excessive speed.
 1927. Coupling not properly made.
 1928. Improper shifting of cars on or off floats or vessels.
 1929. Other improper handling in switching.
 1930. Improper movement of locomotives by hostlers.
 1931. Turntable or transfer table, failure to align, latch or secure.
 1932. Failure of maintenance or other nontrain employees to protect when obstructing track.
 1933. Joint failure to protect and disregard of restricting signal.
 1934. Joint failure to protect and excessive speed.
 1935. Failure by supervisors (Terminal Trainmaster, Yardmaster, etc.) to convey correct information.
 1938. Other negligence of employees.*

2. DEFECTS IN OR FAILURES OF EQUIPMENT

STEAM LOCOMOTIVES*

2001. Boiler explosions.
 2002. Boilers or appurtenances, other failures of or defects in.
 2003. Rods, main and side, crank pins and collars.
 2004. Other machinery.
 2008. Other defects in steam locomotives (including tenders).*

LOCOMOTIVES OTHER THAN STEAM* INCLUDING PROPULSION EQUIPMENT OF RAIL MOTOR CARS*

2101. Crankcase and air box explosions.

*Including information insufficient to classify.

*See separate groups below for locomotive trucks, wheels, axles, air brakes, hand brakes, couplers and draft gear.

*Consisting of multiple-unit electric cars and self-propelled cars powered by internal combustion engines or other methods.

2102. Internal combustion engines and turbines, other failures of, or defects in.
 2103. Generators and motor-generator sets.
 2104. Traction motor armature bearing seized.
 2105. Traction motors, other failures of or defects in.
 2106. Current collection systems.
 2107. Electrical control and conversion equipment (including batteries).
 2108. Hydraulic, mechanical or other non-electrical power transmission to axles.
 2109. Steam generating boiler or appurtenances.
 2110. Fires from short circuits or grounds in wiring.
 2111. Fires from fuel or lubricating oil leaks.
 2112. Other fires, not otherwise classified.
 2113. Fumes from internal combustion engine or appurtenances.
 2188. Other defects on locomotives other than steam.*

TRUCKS

2201. Truck side frame, bent or broken.
 2202. Equalizer, bent or broken.
 2203. Pedestal tie bar, loose or defective.
 2204. Journal box, non-integral type.
 2205. Journal bearing assembly, defects, including fires caused by (standard friction bearing type).
 2206. Journal bearing assembly, defects, including fires caused by (modified friction bearing type).
 2207. Journal bearing assembly (roller bearing type), seized or otherwise defective, including fires caused by.
 2208. Transom, bent or broken.
 2209. Truck bolster, bent or broken.
 2210. Truck bolster anchor, loose or defective.
 2211. Snubbing device in truck bolster guides, locked, broken or otherwise defective.
 2212. Center plate.
 2213. Center pin, broken or missing.
 2214. Side bearing, improper clearance.
 2215. Side bearing, broken, defective or missing.
 2216. Spring plank, bent or broken.
 2217. Swing hanger broken.
 2218. Swing hanger pin, broken or missing.
 2219. Spring or snubber, missing or defective.
 2220. Spring seat or support bar, missing or defective.
 2221. Truck safety hanger, loose or defective.
 2222. Truck, insufficient weight on any wheel.
 2223. Truck, stiff, improper lateral or improper swivelling.
 2288. Other truck defects.*

WHEELS AND AXLES

2301. Cast-iron wheel, flange broken.
 2302. Cast-iron wheel, tread or rim defective.
 2303. Cast-iron wheel, broken, overheating.
 2304. Cast-iron wheel, broken, other causes.
 2305. Cast-steel wheel, flange broken.
 2306. Cast-steel wheel, tread or rim defective.
 2307. Cast-steel wheel, broken, overheating.
 2308. Cast-steel wheel, broken, other causes.
 2309. Wrought-steel wheel, flange broken.
 2310. Wrought-steel wheel, tread or rim defective.
 2311. Wrought-steel wheel, broken, overheating.
 2312. Wrought-steel wheel, broken, other causes.
 2313. Wheel, other or unknown composition, broken.
 2314. Wheel, flange worn.
 2315. Wheel, loose or out of gage.
 2316. Wheel, tire loose or broken.
 2317. Axle, broken between journals.
 2318. Axle, standard friction-bearing journal broken, cold.
 2319. Axle, modified friction-bearing journal broken, cold.
 2320. Axle, roller-bearing journal broken, cold.

2321. Axle, standard friction-bearing journal defective, overheating.
 2322. Axle, modified friction-bearing journal defective, overheating.
 2323. Axle, roller-bearing journal defective, overheating.
 2387. Other defects in wheels.*
 2388. Other defects in axles.*

AIR BRAKES AND APPURTENANCES

2401. Air compressor.
 2402. Air reservoir, or its fittings, safety valve or check valve.
 2403. Air brake control valve.
 2404. Brake pipe, or fittings, broken or defective.
 2405. Air brake hose, broken or burst.
 2406. Air brake parts, falling off.
 2407. Air brake, sticking.
 2408. Air brake, defective, due to snow and ice.
 2409. Air brake failure, excessive piston travel.
 2410. Air brake, inoperative or inefficient, not otherwise provided for.
 2488. Other air brake defects.*

HAND BRAKES, BRAKE RIGGING AND APPURTENANCES

2501. Hand brake operating mechanism.
 2502. Hand brake chains, broken or defective.
 2503. Foundation brake rigging, disconnected, displaced, bent or broken.
 2504. Brake beam (unit type), displaced, bent or broken.
 2505. Brake beam (hanger type), displaced, bent or broken.
 2506. Brake beam safety hanger, displaced, bent or broken.
 2507. Brake head, falling off.
 2508. Brake shoe, falling off.
 2509. Disc or band brake.
 2510. Insufficient hand brake braking power, not otherwise provided for.
 2587. Other hand brake defects.*
 2588. Other brake rigging defects.*

COUPLERS, DRAFT GEAR AND RELATED PARTS

2601. Coupler, broken, not pulled out.
 2602. Coupler, improper height.
 2603. Jackknifing of couplers.
 2604. Couplers passing in attempting to make coupling.
 2605. Knuckle, broken or defective.
 2606. Knuckle lock or locklift assembly.
 2607. Uncoupling device.
 2608. Friction buffer or diaphragm.

Coupler or draft gear pulled out or down, due to failure of

2609. Coupler.
 2610. Coupler rivets or swivel pin.
 2611. Coupler yoke.
 2612. Coupler key.
 2613. Coupler key retainer.
 2614. Striking casting or coupler carrier.
 2615. Sills or draft lugs.
 2616. Draft gear carrier.
 2617. Cushion underframe parts.
 2618. Other parts causing coupler or draft gear to drop.
 2686. Other defects in couplers.*
 2687. Other defects in draft gear.*
 2688. Other defects in cushion underframe.*

CAR STRUCTURE

2701. Sills, bent or broken.
 2702. Body bolster.
 2703. Other underframe parts.
 2704. Sides, spreading or buckling.
 2705. Drop end, falling off.
 2706. Passenger car—end gate, falling off.
 2707. Floor, material falling from or through.
 2708. Side door, falling off.
 2709. Drop door, open or defective.
 2710. Hatch, dome or manhole cover.
 2711. Stake pocket or load retainer.
 2788. Other defects in car structure.*

OTHER PARTS OF EQUIPMENT

2901. Air dump cars, dumping mechanism.
 2902. Crane boom on car or tiedowns for.

2903. Snow plow, flanger, ditcher or spreader defects.
2904. Steam heat connections, dragging or falling off.
2905. Car water tanks.
2906. Axle-driven generator drive or other forms of axle or wheel drives.
2907. Axle-driven generator falling off.
2908. Internal combustion power plant for car electrical auxiliaries or refrigeration.
2909. Fuel tanks for Code 2908 above.
2910. Storage battery box falling from car or dragging.
2987. Other defects in car electrical or mechanical equipment for lighting, heating, cooling, radio, etc. (not propulsion).*
2988. Other equipment defects.*

3. DEFECTS IN OR IMPROPER MAINTENANCE OF WAY AND STRUCTURES

ROADWAY STRUCTURES

3001. Bridge or trestle, timber construction.
3002. Bridge or trestle, masonry, concrete, or steel construction.
3003. Tunnel, unlined or timber-lined.
3004. Tunnel, concrete or masonry-lined.
3088. Other defects in roadway structures, including culverts.*

TIES AND TIE PLATES

3101. Treated wood tie, weak, broken, split, decayed or mechanically cut.
3102. Untreated wood tie, weak, broken, split, decayed or mechanically cut.
3103. Steel, concrete or other non-wood tie.
3104. Metallic tie plate, broken or otherwise defective.
3105. Non-metallic tie plate, or non-metallic inserts in metallic tie plate, broken or otherwise defective.
3188. Other defects in ties and tie plates.*

RAIL

3201. Broken control-cooled rail, with bolted joints, transverse defect.
3202. Broken control-cooled rail, with welded joints, transverse defect.
3203. Broken non-control cooled rail, with bolted joints, transverse defect.
3204. Broken non-control cooled rail, with welded joints, transverse defect.
3205. Broken rail, fracture due to driving wheel burns.
3206. Broken rail, vertical or horizontal split head.
3207. Broken rail, compound or detail fractures from shelling.
3208. Broken rail, fillet crack.
3209. Broken rail, bolt hole crack.
3210. Rail bent by falling rocks or otherwise.
3288. Other defects in rails.*

RAIL JOINTS AND FASTENINGS

3301. Angle bars or bolts, broken, loose or missing.
3302. Welded joint, fracture in weld.
3303. Compromise joints, including double switch points.
3304. Spikes or other fastening, broken, loose or insufficient in number.
3305. Rail braces or gage rods.
3306. Track with bolted joints, thrown out by expansion, due to insufficient gap in joints or insufficient ballast shoulder.
3307. Track with welded joints, thrown out by expansion, due to insufficient number of rail anchors.
3308. Track with welded joints, thrown out by expansion, due to insufficient ballast shoulder.
3309. Rail spreading or turning over, not otherwise provided for.
3367. Other defects in rail joints.*
3388. Other defects in rail fastenings.*

*Including information insufficient to classify.

SPECIAL WORK (NOT INCLUDING INTERLOCKING APPARATUS)

3401. Frog, rigid, self-guarded type.
3402. Frog, rigid, other types.
3403. Frog, spring.
3404. Frog, guard rail, missing.
3405. Frog, guard rail, other defects.
3406. Railroad crossing, rigid.
3407. Railroad crossing, movable.
3408. Switch, lost motion or out of adjustment.
3409. Switch point.
3410. Switch point reinforcement.
3411. Switch point guard.
3412. Switch point protector.
3413. Switch lug or rod.
3414. Switch stand.
3415. Switch latch.
3416. Switch lock.
3417. Spring switch.
3418. Derail.
3488. Other defects in special work.*

SIGNAL SYSTEMS

Cab signal or automatic train control, false proceed failure, due to

3501. Sand, rust or other deposit on rails.
3502. Failure of relay or similar device.
3503. Circuit open, crossed, grounded or foreign current.
3504. Apparatus broken, defective or out of adjustment.
3505. Failure of apparatus due to sleet, ice, snow, weather or lightning.
3506. Failure of apparatus due to obstruction.
3507. Error in making connections or adjustments.
3508. Other causes of false proceed failure in connection with cab signal or automatic train control.

Interlocking or block signal (including CTC but not including train order or manual block signal) false proceed failure, due to

3511. Sand, rust or other deposit on rails.
3512. Failure of relay or similar device.
3513. Circuit open, crossed, grounded or foreign current.
3514. Apparatus broken, defective or out of adjustment.
3515. Failure of apparatus due to sleet, ice, snow, weather or lightning.
3516. Failure of apparatus due to obstruction.
3517. Error in making connections or adjustments.
3518. Failure of electric locking.
3519. Failure of mechanical locking.
3520. Other causes of false proceed failure in connection with interlocking or block signal.

Interlocked switch moved directly ahead of, or under train, due to

3531. Sand, rust or other deposit on rails.
3532. Failure of relay or similar device.
3533. Circuit open, crossed, grounded or foreign current.
3534. Apparatus broken, defective, or out of adjustment.
3535. Failure of apparatus due to sleet, ice, snow, weather or lightning.
3536. Failure of apparatus due to obstruction.
3537. Error in making connections or adjustments.
3538. Failure of electric locking.
3539. Failure of mechanical locking.
3540. Other causes of switch moved ahead of, or under train.

Signal aspect obscured, due to

3551. Smoke, fog or smog.
3552. Ice, snow, rain.
3553. Improper location of signal.
3554. Other causes of obscured signal aspect.
3588. Other defects in signal systems.*

OTHER WAY AND STRUCTURE ITEMS

3901. Guard rail improperly placed or secured.*
3902. Improper superelevation of track.
3903. Improper alignment of track.
3904. Improper surface of track.
3905. Improper gage of track.
3906. Improper curvature for traffic conditions and equipment used.
3907. Dirty ballast or other poor drainage.
3908. Soft track not otherwise provided for.
3909. Rigid track not otherwise provided for.
3910. Insufficient side clearance.
3911. Insufficient overhead clearance.
3912. Car retarder.
3913. Skates and skate-placing mechanism.
3914. Mules, car dumping equipment and car shakeout devices.
3915. Float bridges.
3916. Fueling facilities.
3917. Sanding facilities.
3918. Water columns and other water supply facilities for servicing equipment.
3919. Turntables and transfer tables.
3920. Dragging equipment detectors.
3921. Rail lubricators.
3922. Catenary, third rail or other wayside current collection apparatus.
3988. Other defects in way and structures.*

4. MISCELLANEOUS CAUSES

IMPROPER LOADING

4001. Load too high for proper clearance.
4002. Load too wide for proper clearance.
4003. Load too heavy or other unbalanced loading.
4004. Car overloaded.
- Load shifted, due to improper or defective*
4005. Steel banding.
4006. Steel banding retainer.*
4007. Cable, chain or rope.
4008. Stakes, blocking, bracing or other fastenings.
- Load struck structure, track or roadway or other equipment due to improper or defective*

4009. Car floor.*
4010. Steel banding.
4011. Steel banding retainer.*
4012. Cable, chain or rope.
4013. Stakes, blocking, bracing or other fastenings.
4014. Load on two or more cars, failure to adjust for curves, failure to properly block coupler or failure to make uncoupling mechanism inoperative.
4088. Other improper loading of cars.*

NEGLECT OF NONEMPLOYEES

4101. Failure to control movement of locomotive or car.
4102. Failure to secure locomotive or car.
4103. Improper use of hand-operated switch or derail.
4104. Swinging car door left open.
4105. Car drop doors left open.
4106. Tractors, lift trucks, cranes and other portable machines not in clear.
4107. Chutes, ramps, conveyors, pipes and other loading or unloading devices not in clear.
4108. Dirt or other obstructions on track.
4188. Other negligence of nonemployees.*

MALICIOUS ACTS OR OTHER MISBEHAVIOR OF NONEMPLOYEES

4201. Switch stand run into by vehicle.
4202. Switch or derail padlock, tampered with.
4203. Other tampering with switch or derail.
4204. Obstruction placed on track.

* Other than at special work.

* Improper floor only (for defective floor use Code 2707).

* Improper steel banding retainer (for defective load retainer use Code 2711).

4295. Track or structure tampered with.
 4296. Signal system tampered with.*
 4297. Brakes or chocks tampered with.
 4298. Incendiarism.
 4299. Other malicious acts or misbehavior of nonemployees.*

OBSTRUCTIONS, EXTRAORDINARY FORCES OF NATURE, ETC.

4301. Landslides or boulders on, or foul of track.
 4302. Snow or ice on track.
 4303. Animals on track.
 4304. Switch, derail or frog obstacles in.
 4305. Roadway machine obstructing track.
 4306. Accidents caused by other train accidents.
 4307. Track or structures damaged or washed out by floods.
 4308. Bridge or trestle, timber construction, damaged by accidental fire.
 4309. Timber tunnel lining damaged by accidental fires.
 4310. Car damaged by accidental fire.*
 4311. Other accidental fires.*
 4312. Other track obstructions.*
 4313. Other extraordinary forces of nature.*

RAIL-HIGHWAY GRADE CROSSING ACCIDENTS¹⁰

Kind of highway vehicle struck by locomotive or car

4401. Passenger automobile.
 4402. Bus.
 4403. Truck.
 4404. Other vehicle.

Kind of highway vehicle which ran into side of locomotive or car

4411. Passenger automobile.
 4412. Bus.
 4413. Truck.
 4414. Other vehicle.
 4421. Vehicle ran into roadway structure to avoid locomotive or car.
 4422. Accident caused by sudden brake application to avoid highway crossing accident.
 4423. Highway vehicle struck by locomotive or car at private crossing.
 4424. Highway vehicle ran into side of locomotive or car at private crossing.
 4425. Other highway grade crossing accidents.*

COMBINATION OF TWO OR MORE CAUSES

Wheel flange worn and—

4501. Switch point worn.
 4502. Switch and adjoining frog too close together.
 4503. Improper surface of track.
 4504. Tight gage of track.
 4505. Improper loading of car.

Loose wheel and—

4511. Switch point worn.
 4512. Improper surface of track.
 4513. Tight gage of track.
 4514. Improper loading of car.

Truck stiff, close side bearing clearance or improper swivelling and—

4521. Switch point worn.
 4522. Improper surface of track.

4523. Tight gage of track.
 4524. Improper loading of car.
 4525. Wheel flange worn.

Excessive side bearing clearance and—

4531. Improper surface of track.
 4532. Improper superelevation of track on curve.
 4533. Improper loading of car.

Slack action and—

4541. Improper surface of track.
 4542. Tight gage of track.
 4543. Improper loading of car.
 4551. Heavy impact and weakened condition car.
 4552. High locomotive tractive effort and light cars on sharp curve.
 4553. Other combinations of two or more causes.*

OTHER ASCERTAINED CAUSES

4801. Rocking or swaying of car.¹¹
 4802. Rail slippery.¹²
 4803. Car blown out of siding by wind.¹³
 4804. Unable to control locomotive or cars on grade.¹⁴
 4805. Use of helper locomotive, not otherwise provided for.¹⁵
 4806. Emergency or severe application of air brakes.¹⁶
 4807. Slack action, not otherwise classified.¹⁷
 4808. Handling bad order equipment, including use of chains, bars, etc., in place of standard coupler.¹⁸
 4809. Cars parted, not otherwise classified.¹⁹
 4810. Hand lantern failure.²⁰
 4811. Accepted signal intended for another crew.²¹
 4812. Fumes from internal combustion engine.²²
 4813. Vision obscured by smoke, steam, fog, smog, ice, snow, rain, etc.²³

Use of, or operation of²⁴

4814. Crain car.
 4815. Snow plow, flanger, ditcher or spreader.
 4816. Air dump car.
 4817. Fueling, watering or sanding facilities.
 4818. Mules, car dumpers or shakeout devices.
 4819. Turntables or transfer tables.
 4820. Float bridges.
 4821. Car retarder.
 4822. Skates or skate-placing mechanism.
 4823. Accident investigated—other ascertained cause.

UNASCERTAINED CAUSES

Accident investigated—cause undetermined on

4901. Defective locomotive.
 4902. Defective freight train car (or work equipment)
 4903. Defective passenger train car (including rail motor car)
 4904. Unknown material dragging.
 4905. False proceed failure of cab signal or automatic train control.
 4906. False proceed failure of interlocking or block signal (including CTC).
 4907. Interlocked switch moved directly ahead of, or under train.
 4908. Other defects in signal system.
 4909. Other defects in maintenance of way and structures.
 4910. Cars found collided or derailed.
 4948. Accident investigated—cause undetermined.

Accident not investigated

4988. Accident not investigated.

*Including information insufficient to classify.
 *Including automatic train control and highway crossing protection.

¹⁰Not including fires caused by overheated journals (see Codes 2205 to 2207). For locomotive fires see Codes 2110 to 2112.

¹¹All codes under this heading cover accidents at public highway crossings, unless specifically stated otherwise in the wording of the code.

TRAIN-SERVICE ACCIDENTS

5. SPECIFIED GROUPS OF CAUSES

COUPLING OR UNCOUPLING LOCOMOTIVES OR CARS, OR MANIPULATING AIR OR STEAM CONNECTIONS²⁵

Coupling or uncoupling locomotives or cars

5001. Adjusting coupler, negligence.
 5002. Adjusting coupler, knuckle pin missing.
 5003. Adjusting coupler, other defective parts.
 5004. Adjusting coupler, other causes.
 5005. Uncoupling device, operating of, negligence.
 5006. Uncoupling device, operating of, defective.
 5007. Uncoupling device, operating of, other causes.
 5008. Caught between, or by parts of couplers, negligence.
 5009. Caught between, or by parts of couplers, defective parts.
 5010. Caught between, or by parts of couplers, other causes.
 5011. Coming in contact with objects, other than couplers, negligence.
 5012. Coming in contact with objects, other than couplers, defective parts.
 5013. Coming in contact with objects, other than couplers, other causes.
 5014. Stumbling, slipping or falling, negligence.²⁶
 5015. Stumbling, slipping or falling, defective parts.²⁷
 5016. Stumbling, slipping or falling, other causes.²⁸
 5048. Other accidents in connection with coupling or uncoupling locomotives or cars.*

Manipulating air or steam connections²⁹

5051. Struck by air or steam connections, negligence.
 5052. Struck by air or steam connections, defective.
 5053. Struck by air or steam connections, other causes.
 5054. Struck by back-up hose or fittings, negligence.
 5055. Struck by back-up hose or fittings, defective.
 5056. Struck by back-up hose or fittings, other causes.
 5057. Burn from steam connections, negligence.
 5058. Burn from steam connections, defective.
 5059. Burn from steam connections, other causes.
 5060. Coming in contact with objects, negligence.
 5061. Coming in contact with objects, defective parts.
 5062. Coming in contact with objects, other causes.
 5063. Stumbling, slipping or falling, negligence.³⁰
 5064. Stumbling, slipping or falling, defective parts.³¹
 5065. Stumbling, slipping or falling, other causes.³²
 5088. Other accidents in connection with manipulating air and steam connections.*

OPERATING LOCOMOTIVES AND RAIL MOTOR CARS³³

A. Operating steam locomotives

5101. Shaking grates or dumping ash pans, negligence.

²⁵Including turning angle cocks or steam valves.

²⁶Not otherwise classified.

²⁷Consisting of multiple-unit electric cars and self-propelled cars powered by internal combustion engines or other methods.

5102. Shaking grates or dumping ash pans, defective.
5103. Shaking grates or dumping ash pans, other causes.
5104. Fueling, watering or sanding, negligence.
5105. Fueling, watering or sanding, defective servicing equipment or structure.
5106. Fueling, watering or sanding, other causes.
5107. Shoveling coal or using other hand tools, negligence.
5108. Shoveling coal or using other hand tools, defective tools.
5109. Shoveling coal or using other hand tools, other causes.
5110. Burn from firebox, steam or hot water, negligence.
5111. Burn from firebox, steam or hot water, defective parts.
5112. Burn from firebox, steam or hot water, other causes.
5113. Coming in contact with objects on the locomotive, negligence.
5114. Coming in contact with objects on the locomotive, defective parts.
5115. Coming in contact with objects on the locomotive, other causes.
5116. Stumbling, slipping or falling, negligence.¹⁷
5117. Stumbling, slipping or falling, defective parts.¹⁷
5118. Stumbling, slipping or falling, other causes.¹⁷
5119. Running of steam locomotives by unauthorized person.
5146. Other accidents while operating steam locomotives, negligence.*
5147. Other accidents while operating steam locomotives, defective parts.*
5148. Other accidents while operating steam locomotives, other causes.*
- B. Operating locomotives other than steam, including rail motor cars¹⁸*
5151. Fueling, watering or sanding, negligence.
5152. Fueling, watering or sanding, defective servicing equipment or structure.
5153. Fueling, watering or sanding, other causes.
5154. Using hand tools, negligence.
5155. Using hand tools, defective tools.
5156. Using hand tools, other causes.
5157. Burn from hot oil, steam, or hot water, negligence.
5158. Burn from hot oil, steam, or hot water, defective equipment.
5159. Burn from hot oil, steam, or hot water, other causes.
5160. Operating steam generating boiler and appurtenances, negligence.
5161. Operating steam generating boiler and appurtenances, defective.
5162. Operating steam generating boiler and appurtenances, other causes.
5163. Electrical flash, shock or burn, negligence.
5164. Electrical flash, shock or burn, defective generator or m-g set.
5165. Electrical flash, shock or burn, defective traction motor.
5166. Electrical flash, shock or burn, defective control or conversion equipment.
5167. Electrical flash, shock or burn, defective wiring.
5168. Electrical flash, shock or burn, other defects.
5169. Electrical flash, shock or burn, other causes.
5170. Failure to disengage or ground current collecting devices in emergency.

5171. Pumes from internal combustion engine or appurtenances.
5172. Coming in contact with objects on the locomotive, negligence.
5173. Coming in contact with objects on the locomotive, moving parts improperly guarded.
5174. Coming in contact with objects on the locomotive, other defective equipment.
5175. Coming in contact with objects on the locomotive, other causes.
5176. Stumbling, slipping, or falling, negligence.¹⁷
5177. Stumbling, slipping, or falling, due to oil leaks.
5178. Stumbling, slipping, or falling, other defective equipment.¹⁷
5179. Stumbling, slipping, or falling, other causes.¹⁷
5180. Running of locomotive or rail motor car by unauthorized person.
5186. Other accidents while operating locomotives other than steam including rail motor cars, negligence.*
5187. Other accidents while operating locomotives other than steam including rail motor cars, defective parts.*
5188. Other accidents while operating locomotives other than steam including rail motor cars, other causes.*

OPERATING HAND BRAKES

5201. Setting or releasing hand brake, negligence.
5202. Setting or releasing hand brake, defective mechanism.
5203. Setting or releasing hand brake, defective chains.
5204. Setting or releasing hand brake, defective foundation brake rigging.
5205. Setting or releasing hand brake, defective brake step.
5206. Setting or releasing hand brake, defective handhold.
5207. Setting or releasing hand brake, other defective equipment.
5208. Setting or releasing hand brake, wheel spun (no negligence or defect).
5209. Setting or releasing hand brake, other causes.
5210. Cars coming together at excessive speed, failure to apply hand brakes in time, negligence.
5211. Cars coming together at excessive speed, failure to apply hand brakes in time, defect.
5212. Cars coming together at excessive speed, failure to apply hand brakes in time, other causes.
5213. Insufficient braking power.
5214. Coming in contact with objects, including lading, negligence.
5215. Coming in contact with objects, shifted lading.
5216. Coming in contact with objects, defective car structure.
5217. Coming in contact with objects, other defects.
5218. Coming in contact with objects, other causes.
5219. Stumbling, slipping or falling, negligence.¹⁷
5220. Stumbling, slipping or falling, defective parts.¹⁷
5221. Stumbling, slipping or falling, other causes.¹⁷
5286. Other accidents, while operating hand brakes, negligence.*
5287. Other accidents, while operating hand brakes, defective parts.*
5288. Other accidents, while operating hand brakes, other causes.*

OPERATING SWITCHES

5301. Coming in improper contact with moving switch lever or ball, negligence.
5302. Coming in improper contact with moving switch lever or ball, defective switch.

5303. Coming in improper contact with moving switch lever or ball, other causes.
5304. Coming in improper contact with switch stand cover (paved streets).
5305. Coming in improper contact with other parts of switch, negligence.
5306. Coming in improper contact with other parts of switch, defective switch.
5307. Coming in improper contact with other parts of switch, other causes.
5308. Coming in contact with locomotive or car.
5309. Coming in contact with other objects, negligence.
5310. Coming in contact with other objects, defective switch.
5311. Coming in contact with other objects, other causes.
5312. Stumbling, slipping or falling, negligence.¹⁷
5313. Stumbling, slipping or falling, defective switch.¹⁷
5314. Stumbling, slipping or falling, other causes.¹⁷
5386. Other accidents while operating switches, negligence.*
5387. Other accidents while operating switches, defective parts.*
5388. Other accidents while operating switches, other causes.*

PERSONS ON MOVING LOCOMOTIVES OR CARS COMING IN CONTACT WITH FIXED STRUCTURES

5401. Parts of bridges, negligence.
5402. Parts of bridges, defective structure.
5403. Parts of bridges, other causes.
5404. Parts of buildings, negligence.
5405. Parts of buildings, defective structure.
5406. Parts of buildings, other causes.
5407. Platforms or platform canopies, negligence.
5408. Platforms or platform canopies, defective.
5409. Platforms or platform canopies, other causes.
5410. Other loading or unloading structures or devices, negligence.
5411. Other loading or unloading structures or devices, defective parts.
5412. Other loading or unloading structures or devices, other causes.
5413. Staging, scaffolding, or other temporary structures, negligence.
5414. Staging, scaffolding, or other temporary structures, defective.
5415. Staging, scaffolding, or other temporary structures, other causes.
5416. Fueling, watering or sanding structures, negligence.
5417. Fueling, watering or sanding structures, defective.
5418. Fueling, watering or sanding structures, other causes.
5419. Signs, switch stands, switch machines or dwarf signals, negligence.
5420. Signs, switch stands, switch machines or dwarf signals, defective.
5421. Signs, switch stands, switch machines or dwarf signals, other causes.
5422. Other pipes, poles or wires, negligence.
5423. Other pipes, poles or wires, defective.
5424. Other pipes, poles or wires, other causes.
5486. Coming in contact with other fixed structures, negligence.*
5487. Coming in contact with other fixed structures, defective.*
5488. Coming in contact with other fixed structures, other causes.*

GETTING ON OR OFF LOCOMOTIVES OR CARS

5501. Losing, or not finding handhold, negligence.
5502. Losing, or not finding handhold, handhold defective or missing.
5503. Losing, or not finding handhold, other causes.
5504. Losing, or not finding foothold, negligence.
5505. Losing, or not finding foothold, ladder, step, stirrup, or footboard defective or missing.

*Including information insufficient to classify.

¹⁸ Consisting of multiple-unit electric cars and self-propelled cars powered by internal combustion engines or other methods.

¹⁷ Not otherwise classified.

5505. Losing, or not finding foothold, other causes.
5507. Missed footing on porter's step box.
5508. Stepping or falling between car and high platform.¹³
5509. Stepping or falling between car steps and low platform.
5510. Stepping or falling into open passenger car trap door, high platform.¹³ defective trap door.
5511. Stepping or falling into open passenger car trap door, high platform.¹³ no defects.
5512. Struck partly opened passenger car trap door, high platform.¹³ defective trap door latch.
5513. Struck partly opened passenger car trap door, high platform.¹³ no defects.
5514. Caught ring, glove, or clothing.
5515. Starting, stopping or lurch of locomotive or cars.
5516. Falling from or through bridge or trestle.
5517. Coming in contact with locomotive or car door, negligence.
5518. Coming in contact with locomotive or car door, defective door.
5519. Coming in contact with locomotive or car door, defective door holdback device.
5520. Coming in contact with locomotive or car door, other causes.
5521. Coming in contact with other parts of locomotive, car or lading, while boarding or alighting.
5522. Coming in contact with fixed structures.
5523. Coming in contact with temporary or movable structures.
5524. Coming in contact with trucks, baggage, mail, express or freight.
5525. Coming in contact with locomotive or car on adjacent track.
5526. Coming in contact with other objects, negligence.
5527. Coming in contact with other objects, defective equipment.
5528. Coming in contact with other objects, defective structure.
5529. Coming in contact with other objects, other causes.
5530. Carrying objects while boarding or alighting.
5531. Stumbling, slipping, or falling on passenger car steps, negligence.¹³
5532. Stumbling, slipping or falling on snow or ice on passenger car steps.
5533. Stumbling, slipping or falling on passenger car steps, defective steps.¹³
5534. Stumbling, slipping or falling on passenger car steps, other causes.¹³
5535. Stumbling, slipping or falling on snow or ice on station platform.
5536. Stumbling, slipping or falling on defective station platform.
5537. Stumbling, slipping or falling on station platform, other causes.
5538. Stumbling, slipping or falling, excessive speed of locomotive or car for boarding or alighting.
5539. Other stumbling, slipping, or falling, negligence.
5540. Other stumbling, slipping or falling on snow or ice.
5541. Other stumbling, slipping or falling on loose, sharp or slippery footing on ground (mud, oil, trash, stones, etc.).
5542. Other stumbling, slipping or falling on uneven footing (holes in ground, ties, etc.).
5543. Other stumbling, slipping or falling, on defective equipment.¹³
5544. Other stumbling, slipping or falling, on defective structure.¹³

¹³ Not otherwise classified.¹⁴ Station platform at level of car floor (car steps not used).¹⁵ Including folding steps controlled by the operation of trapdoor.

5545. Other stumbling, slipping, falling or jumping, other causes.
5546. Jumping or attempting to jump from equipment in anticipation of accident.
5586. Other accidents getting on or off locomotives or cars, negligence.*
5587. Other accidents getting on or off locomotives or cars, defective parts.*
5588. Other accidents getting on or off locomotives or cars, other causes.*

ACCIDENTS AT PUBLIC RAIL-HIGHWAY CROSSINGS

5601. Pedestrian struck by locomotive or car.
5602. Passenger automobile struck by locomotive or car.
5603. Bus struck by locomotive or car.
5604. Truck struck by locomotive or car.
5605. Motorcycle struck by locomotive or car.
5606. Other vehicle, machine or animal struck by locomotive or car.
5607. Pedestrian ran into, or drawn into locomotive or car.
5608. Passenger automobile ran into side of locomotive or car.
5609. Bus ran into side of locomotive or car.
5610. Truck ran into side of locomotive or car.
5611. Motorcycle ran into side of locomotive or car.
5612. Other vehicle, machine or animal ran into side of locomotive or car.
5613. Vehicle ran into roadway structure to avoid locomotive or car.
5614. Accident caused by sudden brake application to avoid highway crossing accident.
5615. Pedestrian passing over, through or under cars on crossing.
5638. Highway crossing accidents due to other causes.*

STRUCK OR RUN OVER BY LOCOMOTIVES OR CARS AT PLACES OTHER THAN PUBLIC RAIL-HIGHWAY CROSSINGS

5701. Standing, walking, or running on or along track.
5702. Crossing track at private crossing.
5703. Crossing track not at crossing.
5704. While on public thoroughfare (track in street).
5705. Sitting or lying on track or near track not in clear.
5706. While working on or along track, negligence.
5707. While working on or along track, improper instructions.
5708. While working on or along track, improper protection.
5709. While working on or along track, defective protective devices.
5710. While working on or along track, other causes.
5788. Other accidents to persons by locomotives or cars at places other than public rail-highway crossings.*

6. MISCELLANEOUS CAUSES

FREIGHT, BAGGAGE, EXPRESS OR MAIL

6001. Handling freight.
6002. Lading on car shifted (except as classified in Code 5215).
6003. Lading on car projecting beyond equipment clearance line.
6004. Handling baggage, express or mail.
6005. Locomotive or car striking baggage, express, freight or mail, or striking baggage trucks or similar objects.
6006. Baggage or similar articles falling from luggage rack in passenger car.
6007. Baggage or similar articles in passenger car aisle or vestibule, tripping over.
6088. Other accidents involving freight, baggage, express or mail.*

* Including information insufficient to classify.

BRAKING OF SECURING EQUIPMENT¹⁶

6101. Emergency or severe application of air brakes, negligence of engineman.
6102. Emergency or severe application of air brakes, negligence of train crew.
6103. Emergency or severe application of air brakes, burst or parted air hose.
6104. Emergency or severe application of air brakes, other defective equipment.
6105. Blocking or chocking cars.
6183. Other accidents in braking or securing equipment.*

DOORS, WINDOWS, AND RELATED PARTS

6201. Falling from unguarded, or improperly open, doors.

Operating of or unexpected movement of doors and related parts, as follows

6211. Locomotive door, defective.
6212. Locomotive door, no defect.
6213. Freight car door, defective.
6214. Freight car door, no defect.
6215. Caboose door, defective.
6216. Caboose door, no defect.
6217. Baggage car door, defective.
6218. Baggage car door, no defect.
6219. Power-operated passenger car door, defective.
6220. Power-operated passenger car door, no defect.
6221. Hand-operated passenger car door, defective.
6222. Hand-operated passenger car door, no defect.
6223. Passenger car trap door, defective.¹⁷
6224. Passenger car trap door, no defect.¹⁷
6225. Passenger car end gate, defective.
6226. Passenger car end gate, no defect.
6227. Gondola car end gate, defective.
6228. Gondola car end gate, no defect.
6229. Hopper car drop door, defective.
6230. Hopper car drop door, no defect.
6241. Car door falling off.
6242. Loose or swinging door projecting beyond equipment clearance line.

Operating of, or unexpected closing of, windows, as follows

6251. Locomotive, caboose or passenger car window, defective.
6252. Locomotive, caboose or passenger car window, no defect.
6261. Glass breaking in locomotive or car door or window.
6288. Other accidents involving doors, windows and related parts.*

SERVICING OR MAINTENANCE ACCIDENTS INVOLVING TRAIN OPERATION¹⁸

Servicing locomotives or cars while train is in service

6301. Fueling, watering or sanding locomotive or rail motor cars.
6302. Lubrication of locomotive or cars.
6303. Icing of refrigerator cars.
6304. Servicing of car mechanical refrigeration equipment.
6305. Cleaning or washing of locomotive or cars.
6306. Icing or watering of passenger cars.
6307. Servicing of passenger car heating, lighting or air-conditioning equipment.

Repair of equipment at points other than in shops or established maintenance facilities

6321. Locomotive or car coming against locomotive or car being repaired under flag or signal protection.

¹⁶ Not including hand brake accidents classified under Codes 5201 to 5299.¹⁷ Including folding steps controlled by the operation of the trap door.¹⁸ For other servicing or maintenance accidents see Nontrain Accidents Codes 7001 to 9999.

6322. Locomotive or car coming against locomotive or car being repaired without flag or signal protection.
 6323. Locomotive or car being repaired on the road or in yard, not otherwise provided for.
 6324. Rerailing locomotives or cars or handling rerailing devices.
 6325. While working around wrecks, not otherwise provided for.

Maintenance of way and structures

6331. Track motor car struck by locomotive or car, failure to provide adequate means of protection.
 6332. Track motor car struck by locomotive or car, failure to properly utilize the means of protection provided.
 6333. Track motor car, jumping from, in anticipation of being struck by locomotive or car.
 6334. Other on-rail roadway machines struck by locomotive or car.
 6335. Removing obstacles from track.
 6388. Other servicing or maintenance accidents.*

STUMBLING, SLIPPING, FALLING, CAUGHT, ETC., NOT ELSEWHERE CLASSIFIED

*Stumbling, slipping or falling on, or from, locomotives or cars, as follows*²²

6501. On snow or ice.
 6502. On passenger car buffer or foot plate, defective.
 6503. On passenger car buffer or foot plate, no defect.
 6504. In passenger cars, not elsewhere classified.
 6505. Stepping or jumping between locomotives or cars in the same train (Use Codes 6502, 6503 or 6504 for passenger cars).
 6506. Falling from, not otherwise classified.
 6507. Stumbling, slipping or falling on, not otherwise classified.

*Stumbling, stepping, slipping or falling, other than on, or from, locomotives or cars, as follows*²²

6511. On snow or ice.
 6512. Falling off or through bridges, trestles or retaining walls, equipped with handrails.
 6513. Falling off or through bridges, trestles or retaining walls, not equipped with handrails.
 6514. On stairways, ramps, station platforms, etc.
 6515. Falling into transfer table, turntable, inspection or other pits.
 6516. Stepping or tripping into holes or depressions.
 6517. On switch or signal parts in place.
 6518. On rails, ties or other parts of track in place.
 6519. On loose or piled track material.
 6520. On nails, splinters or other sharp materials or sharp trash.
 6521. On coal, boards or other loose material or loose trash.

Caught, pinched or crushed except while riding on locomotives or cars, as follows

6531. Between locomotives or cars and fixed structures.
 6532. Between locomotives or cars and other obstructions.
 6533. Between locomotives or cars on adjacent tracks.
 6534. Caught by nails or splinters.
 6535. While standing, walking or running beside locomotives or cars, not elsewhere classified.

6588. Other stumbling, slipping, falling, caught, pinched or crushed.*

FLYING OR FALLING OBJECTS, BURNS AND SIMILAR CAUSES

6601. Sparks, cinders or other flying objects, in eye.
 6602. Stones or other objects "picked up" by train.
 6603. Other injuries by flying objects.²⁴
 6611. Coal, coke or other material or lading from tenders or cars.
 6621. Electrical flash, shock or burn from locomotive or car.²⁵
 6622. Electrical flash, shock or burn from from third rail.²⁵
 6623. Electrical flash, shock or burn from catenary construction.²⁵
 6624. Electrical flash, shock or burn from other sources.²⁵
 6631. Fire or explosion of fuses or torpedoes.
 6632. Fire or explosion on locomotive.²⁵
 6633. Fire or explosion on freight-train car (or work equipment).
 6634. Fire or explosion on passenger-train car or rail motor car.
 6635. Fire or explosion along right-of-way.
 6636. Burned by hot or corrosive substances.
 6637. Other burns, not elsewhere classified.
 6641. Overcome by fumes or gases, not elsewhere classified.
 6688. Other flying²⁴ or falling objects, burns and similar causes.*

OTHER ASCERTAINED CAUSES

6801. Crossing over, under or between locomotives or cars.²⁷
 6802. Locomotive or car coming against car placed for loading or unloading.
 6803. Sudden starting, stopping, lurch or jerk of locomotive or car, not elsewhere classified.
 6804. Poling or roping cars.

While riding on locomotive or car, caught or coming in contact with

6811. Locomotive or car on adjacent track in the clear.
 6812. Locomotive or car on adjacent track not in the clear.
 6813. Projections beyond the equipment clearance line on other locomotive or car.
 6814. Objects along the roadway, other than fixed structures.
 6815. Caught by passenger car buffer or foot plate, defective.
 6816. Caught by passenger car buffer or foot plate, no defect.
 6817. Passenger car diaphragm, curtain missing.
 6818. Passenger car diaphragm, curtain left open.
 6819. Passenger car diaphragm, curtain defective.
 6820. Passenger car diaphragm, curtain properly in place.
 6888. Accident investigated—other ascertained cause.

UNASCERTAINED CAUSES

6948. Accident investigated—cause undetermined.
 6988. Accident not investigated.

NONTRAIN ACCIDENTS

7. EQUIPMENT

STEAM LOCOMOTIVES

Servicing of steam locomotives, including facilities used for doing this work

7001. Fueling, watering or sanding.
 7002. Lubricating or cleaning.
 7003. Maintenance of servicing facilities.

²² Not otherwise classified.

²⁴ Not including missiles thrown or firearms discharged at trains.

²⁵ Except while operating locomotives (see Codes 5101 to 5199).

Maintenance of steam locomotives, including facilities used for doing this work

7011. Use of portable tools.²⁶
 7012. Use of scaffolds, ladders, etc.
 7013. Use of cranes, hoists, turntables, etc.
 7014. Use of shop machinery.²⁷
 7015. Use of lift trucks and other portable material-handling equipment.
 7016. Use of paint spraying or paint removing equipment.
 7021. Maintenance of shop buildings or storehouses.
 7022. Maintenance of shop machinery.²⁷
Accidents at steam locomotive servicing or maintenance facilities, due to
 7031. Flying objects.
 7032. Falling objects.
 7033. Electrical flash, shock or burn.
 7034. Fire or explosion.
 7035. Hot or corrosive substances.
 7036. Fumes or gases.
 7037. Stumbling, slipping or falling.
 7038. Moving locomotive for repairs.
 7039. Unexpected movement of locomotive.
 7088. Other causes.*

LOCOMOTIVES OTHER THAN STEAM

Servicing of locomotives other than steam, including facilities used for doing this work

7101. Fueling, watering or sanding.
 7102. Lubricating, washing or cleaning.
 7103. Construction or reconstruction of servicing facilities.
 7104. Maintenance of servicing facilities.

Maintenance of locomotives other than steam, including facilities used for doing this work

A. Diesel engine

7111. Use of portable tools.²⁸
 7112. Use of scaffolds, ladders, etc.
 7113. Use of cranes, hoists, etc.
 7114. Use of shop machinery.²⁷
 7115. Use of lift trucks or other portable material-handling equipment.
 7116. Use of paint spraying or paint removing equipment.

B. Locomotive electrical equipment

7121. Use of portable tools.²⁸
 7122. Use of scaffolds, ladders, etc.
 7123. Use of cranes, hoists, etc.
 7124. Use of shop machinery.²⁷
 7125. Use of lift trucks and other portable material-handling equipment.

C. Other locomotive parts

7131. Use of portable tools.²⁸
 7132. Use of scaffolds, ladders, etc.
 7133. Use of cranes, hoists, etc.
 7134. Use of shop machinery.²⁷
 7135. Use of lift trucks and other portable material-handling equipment.
 7136. Use of paint spraying or paint removing equipment.

D. Construction or maintenance of facilities

7141. Construction, reconstruction or removal of shop buildings or storehouses.
 7142. Maintenance of shop buildings or storehouses.
 7143. Installation or removal of shop machinery.²⁷
 7144. Maintenance of shop machinery.²⁷

Accidents at servicing or maintenance facilities for locomotives other than steam, due to

7171. Flying objects.
 7172. Falling objects.
 7173. Electrical flash, shock or burn.
 7174. Fire or explosion.

²⁶ Including hand tools and portable power tools.

²⁷ Including machine tools and other fixed processing equipment.

*Including information insufficient to classify.

²² See Codes 5501 to 5599 for similar accidents while getting on or off locomotives or cars.

7175. Hot or corrosive substances.
 7176. Fumes or gases.
 7177. Stumbling, slipping or falling.
 7178. Moving locomotive for repairs.
 7179. Unexpected movement of locomotive.
 7180. Other causes.*

FREIGHT-TRAIN CARS (OR WORK EQUIPMENT)
Construction or rebuilding of freight-train cars (or work equipment) including facilities used for doing this work

A. Car bodies

7301. Use of portable tools.²⁸
 7302. Use of scaffolds, ladders, etc.
 7303. Use of cranes, hoists, transfer tables, etc.
 7304. Use of shop machinery.²⁷
 7305. Use of lift trucks and other portable material-handling equipment.
 7306. Use of paint spraying or paint removing equipment.

B. Car trucks

7311. Use of portable tools.²⁸
 7312. Use of cranes, hoists, transfer tables, etc.
 7313. Use of shop machinery.²⁷
 7314. Use of lift trucks and other portable material-handling equipment.
 7315. Use of paint spraying or paint removing equipment.

C. Construction or maintenance of facilities

7321. Construction, reconstruction or removal of shop buildings or storehouses.
 7322. Maintenance of shop buildings or storehouses.
 7323. Installation or removal of shop machinery.²⁷
 7324. Maintenance of shop machinery.²⁷

Servicing of freight-train cars (or work equipment) including facilities used for doing this work

7331. Lubricating.
 7332. Cleaning.
 7333. Icing.
 7334. Servicing of car mechanical refrigeration equipment.
 7335. Servicing of car heaters.
 7336. Construction, reconstruction or removal of servicing facilities.
 7337. Maintenance of servicing facilities.

Maintenance of freight-train cars (or work equipment) including facilities used for doing this work

A. Car bodies

7341. Use of portable tools.²⁸
 7342. Use of scaffolds, ladders, etc.
 7343. Use of cranes, hoists, transfer tables, etc.
 7344. Use of shop machinery.²⁷
 7345. Use of lift trucks and other portable material-handling equipment.
 7346. Use of paint spraying or paint removing equipment.

B. Car trucks

7351. Use of portable tools.²⁸
 7352. Use of cranes, hoists, transfer tables, etc.
 7353. Use of shop machinery.²⁷
 7354. Use of lift trucks and other portable material-handling equipment.
 7355. Use of paint spraying or paint removing equipment.

C. Construction or maintenance of facilities

7361. Construction, reconstruction or removal of shop buildings or storehouses.

*Including information insufficient to classify.

²⁸Including hand tools and portable power tools.

²⁷Including machine tools and other fixed processing equipment.

7362. Maintenance of shop buildings or storehouses.
 7363. Installation or removal of shop machinery.²⁷
 7364. Maintenance of shop machinery.²⁷

Accidents at facilities for construction, rebuilding, servicing or maintenance of freight-train cars (or work equipment) due to

7371. Flying objects.
 7372. Falling objects.
 7373. Electrical flash, shock or burn.
 7374. Fire or explosion.
 7375. Hot or corrosive substances.
 7376. Fumes or gases.
 7377. Stumbling, slipping or falling.
 7378. Moving car for repairs.
 7379. Unexpected movement of car.
 7380. Other causes.*

PASSENGER-TRAIN CARS ²⁸

Servicing of passenger-train cars ²⁸ including facilities used for doing this work

7501. Lubricating, washing or cleaning.
 7502. Icing, watering or battery charging.
 7503. Servicing of heating, lighting or air-conditioning equipment.
 7504. Fueling, watering or sanding of rail motor car propulsion equipment.
 7505. Construction, reconstruction or removal of servicing facilities.
 7506. Maintenance of servicing facilities.

Maintenance of passenger-train cars ²⁸ including facilities used for doing this work

A. Car bodies

7511. Use of portable tools.²⁸
 7512. Use of scaffolds, ladders, etc.
 7513. Use of cranes, hoists, transfer tables, etc.
 7514. Use of shop machinery.²⁷
 7515. Use of lift trucks and other portable material-handling equipment.
 7516. Use of paint spraying or paint removing equipment.

B. Car trucks

7521. Use of portable tools.²⁸
 7522. Use of cranes, hoists, transfer tables, etc.
 7523. Use of shop machinery.²⁷
 7524. Use of lift trucks and other portable material-handling equipment.
 7525. Use of paint spraying or paint removing equipment.

C. Heating, lighting, air-conditioning equipment of all cars, and propulsion equipment of rail motor cars

7531. Use of portable tools.²⁸
 7532. Use of scaffolds, ladders, etc.
 7533. Use of cranes, hoists, transfer tables, etc.
 7534. Use of shop machinery.²⁷
 7535. Use of lift trucks and other portable material-handling equipment.

D. Construction or maintenance of facilities

7541. Construction, reconstruction or removal of shop buildings or storehouses.
 7542. Maintenance of shop buildings or storehouses.
 7543. Installation or removal of shop machinery.²⁷
 7544. Maintenance of shop machinery.²⁷

Accidents at facilities for servicing or maintenance of passenger-train cars, ²⁸ due to

7551. Flying objects.
 7552. Falling objects.
 7553. Electrical flash, shock or burn.
 7554. Fire or explosion.
 7555. Hot or corrosive substances.

²⁸Including rail motor cars.

7556. Fumes or gases.
 7557. Stumbling, slipping or falling.
 7558. Moving car for repairs.
 7559. Unexpected movement of car.
 7588. Other causes.*

OTHER EQUIPMENT

Floating equipment

7901. Construction, rebuilding or dismantling of floating equipment.
 7902. Operation of floating equipment.
 7903. Servicing of floating equipment.
 7904. Maintenance of floating equipment.

Work equipment

(Classified under freight-train cars Codes 7301 to 7399.)

Miscellaneous equipment

A. Operation (except on public highways) of

7941. Passenger automobiles.
 7942. Buses.
 7943. Trucks.
 7944. Other highway vehicles and machines.

B. Servicing of

7951. Passenger automobiles.
 7952. Buses.
 7953. Trucks.
 7954. Other highway vehicles and machines.

C. Maintenance of

7961. Passenger automobiles.
 7962. Buses.
 7963. Trucks.
 7964. Other highway vehicles and machines.
 7988. Accidents involving other equipment, not elsewhere classified.*

8. WAY AND STRUCTURES

BRIDGES ²⁸ AND TUNNELS ²⁸

Construction, reconstruction, removal ²⁸ or maintenance of bridges and tunnels, including facilities used for doing this work ²⁸

A. Bridges ²⁸

8001. Use of hand tools at site.
 8002. Use of portable power tools at site.
 8003. Use of scaffolds, ladders, etc. at site.
 8004. Use of paint spraying or paint removing equipment at site.
 8005. Use of cranes, derricks, piledrivers, etc. at site.
 8006. Loading or unloading material on cars or trucks.
 8007. Moving cars in bridge work.
 8008. Use of machinery and other equipment at shop.²⁸

B. Tunnels ²⁸

8011. Use of hand tools at site.
 8012. Use of portable power tools at site.
 8013. Use of scaffolds, ladders, etc. at site.
 8014. Loading or unloading material on cars or trucks.
 8015. Moving cars in tunnel work.
 8016. Use of machinery and other equipment at shop.²⁸

Accidents while engaged in bridge and tunnel work, due to

8071. Flying objects.
 8072. Falling objects.
 8073. Electrical flash, shock or burn.
 8074. Fire or explosion.
 8075. Fumes or gases.
 8076. Stumbling, slipping or falling.
 8088. Other causes.*

²⁸Including trestles, culverts and elevated structures.

²⁸Including subways and snowsheds.

²⁸Under, over or beside operating tracks.

²⁸See Codes 8121 to 8124 under "Other Structures" for Bridge and Building Department shop facilities.

OTHER STRUCTURES²²

Construction, reconstruction, removal or maintenance²³ of buildings or other structures including facilities used for doing this work²⁴

A. Freight or passenger stations

- 8101. Use of hand tools at site.
- 8102. Use of portable power tools at site.
- 8103. Use of scaffolds, ladders, etc. at site.
- 8104. Use of paint spraying or paint removing equipment at site.
- 8105. Use of cranes, derricks, piledrivers, etc. at site.
- 8106. Loading or unloading material on cars or trucks.
- 8107. Moving cars in station building structure work.
- 8108. Use of machinery and other equipment at shop.²⁵

B. Roadway buildings

- 8111. Use of hand tools at site.
- 8112. Use of portable power tools at site.
- 8113. Use of scaffolds, ladders, etc. at site.
- 8114. Use of paint spraying or paint removing equipment at site.
- 8115. Use of cranes, derricks, etc. at site.
- 8116. Loading or unloading material on cars or trucks.
- 8117. Moving cars in roadway building structure work.
- 8118. Use of machinery and other equipment at shop.²⁶

C. Bridge and building department shop facilities²⁷

- 8121. Construction, reconstruction or removal of shop buildings or storehouses.
- 8122. Maintenance of shop buildings or storehouses.
- 8123. Installation or removal of machinery and other shop equipment.
- 8124. Maintenance of machinery and other shop equipment.

D. Wharves, docks or floatbridges²⁸

- 8131. Use of hand tools at site.
- 8132. Use of portable power tools at site.
- 8133. Use of scaffolds, ladders, etc. at site.
- 8134. Use of cranes, derricks, piledrivers, etc. at site.
- 8135. Loading or unloading material on cars, trucks or vessels.
- 8136. Moving cars in wharf work.
- 8137. Use of machinery and other equipment at shop.²⁹

E. Grain elevators or warehouses

- 8141. Use of hand tools at site.
- 8142. Use of portable power tools at site.
- 8143. Use of scaffolds, ladders, etc. at site.
- 8144. Use of paint spraying or paint removing equipment at site.
- 8145. Use of cranes, derricks, piledrivers, etc. at site.
- 8146. Loading or unloading material on cars or trucks.
- 8147. Moving cars in grain elevator or warehouse work.
- 8148. Use of machinery and other equipment at shop.³⁰

²² Under, over and beside operating tracks.
²³ Facilities such as enginehouses, locomotives and car shops, storehouses, fuel, water and sanding stations, etc. are listed under the respective equipment maintained or serviced and not under this section (see Codes 7001 to 7999).

²⁴ See Codes 8121 to 8124 under "C" in this section for Bridge and Building Department shop facilities.

²⁵ For track, signal or communication shops, see codes under these respective items.

²⁶ Including car dumpers, mules, hoists and related facilities.

F. Other miscellaneous structures³¹

- 8161. Use of hand tools at site.
- 8162. Use of portable power tools at site.
- 8163. Use of scaffolds, ladders, etc. at site.
- 8164. Use of paint spraying or paint removing equipment at site.
- 8165. Use of cranes, derricks, piledrivers, etc. at site.
- 8166. Loading or unloading material on cars or trucks.
- 8167. Moving cars in miscellaneous structure work.
- 8168. Use of machinery and other equipment at shop.³²

Accidents while engaged in work on other structures, due to

- 8171. Flying objects.
- 8172. Falling objects.
- 8173. Electrical flash, shock or burn.
- 8174. Fire or explosion.
- 8175. Fumes or gases.
- 8176. Stumbling, slipping or falling.
- 8188. Other causes.³³

ROADBED³⁴

Construction, reconstruction, removal or maintenance of roadbed, including facilities for doing this work³⁵

A. Earth or rock cuts or fills³⁶

- 8201. Use of hand tools at site.
- 8202. Use of portable power tools at site.
- 8203. Loading or unloading material on cars or trucks.
- 8204. Moving cars or other on-track machines for earthwork at site.
- 8205. Moving off-track roadway machines at site.
- 8206. Use of machinery and other equipment at shop.³⁷

B. Retaining walls and cribbing

- 8211. Use of hand tools at site.
- 8212. Use of portable power tools at site.
- 8213. Use of scaffolds, ladders, etc. at site.
- 8214. Use of cranes, derricks, piledrivers, etc. at site.
- 8215. Loading or unloading material on cars or trucks.
- 8216. Moving cars in retaining wall work.
- 8217. Use of machinery and other equipment at shop.³⁸

Accidents while engaged in roadbed work, due to

- 8271. Flying objects.
- 8272. Falling objects.
- 8273. Fire or explosion.
- 8274. Fumes or gases.
- 8275. Stumbling, slipping or falling.
- 8288. Other causes.³⁹

TRACK

Construction, reconstruction, removal⁴⁰ or maintenance of track, including facilities used for doing this work

A. Ties, switch timbers and tie plates

- 8301. Inserting or removing by use of hand tools.
- 8302. Inserting or removing by use of power tools.
- 8303. Loading or unloading cars or trucks.
- 8304. Moving cars in tie work.
- 8305. Machining or other processing at shop.

B. Rail and fastenings

- 8311. Laying or removing (with bolted joints) by use of hand tools.

³¹ Including information insufficient to classify.

³² Including retaining walls and cribbing.

³³ See Codes 8331 to 8334 under "Track" for shop facilities for this work.

³⁴ Including ditch or pipe drainage, stabilizing by grouting, piling or planting.

³⁵ On or beside operating tracks.

- 8312. Laying or removing (with bolted joints) by use of power tools.
- 8313. Laying or removing (with welded joints) by use of hand tools.
- 8314. Laying or removing (with welded joints) by use of power tools.
- 8315. Welding, building-up, cutting or hardening rail at site.
- 8316. Welding, building-up, cutting or hardening rail at shop.
- 8317. Loading or unloading cars or trucks.
- 8318. Moving cars in rail work.

C. Special work⁴¹

- 8321. Laying or removing by use of portable tools at site.
- 8322. Laying or removing by use of cranes or derricks at site.
- 8323. Welding, building-up, cutting or hardening at site.
- 8324. Welding, building-up, cutting or hardening at shop.
- 8325. Loading or unloading material on cars or trucks.
- 8326. Moving cars in installing or removing special work.
- 8327. Use of machinery and other equipment at shop in fabricating or assembly of special work.

D. Truck and roadway shop facilities

- 8331. Construction, reconstruction or removal of shop buildings or storehouses.
- 8332. Maintenance of shop buildings or storehouses.
- 8333. Installation or removal of machinery and other shop equipment.
- 8334. Maintenance of machinery and other shop equipment.

Accidents while engaged in track and roadway work, due to

- 8371. Flying objects.
- 8372. Falling objects.
- 8373. Electrical flash, shock or burn.
- 8374. Fire or explosion.
- 8375. Fumes or gases.
- 8376. Stumbling, slipping or falling.
- 8388. Other causes.⁴²

SIGNAL SYSTEM

Construction, reconstruction, installation, removal, servicing or maintenance of signal structures or equipment, including facilities used for doing this work.

A. Block, interlocking and highway crossing signals⁴³

- 8401. Use of hand tools at site.
- 8402. Use of portable power tools at site.
- 8403. Use of scaffolds, ladders, etc. at site.⁴⁴
- 8404. Use of paint spraying or paint removing equipment.
- 8405. Use of cranes or derricks at site.
- 8406. Loading or unloading material on cars or trucks.
- 8407. Moving cars in signal work.
- 8408. Use of machinery and other equipment at shop.

B. Signal shop facilities

- 8421. Construction, reconstruction or removal of shop buildings or storehouses.
- 8422. Maintenance of shop buildings or storehouses.

⁴¹ Including switches, frogs, derails and railroad crossings, not including interlocking apparatus for switches, etc.

⁴² Including automatic block, automatic train-control, cab signals, manual block and train-order signals, interlocking (including automatic and remote control interlocking), centralized traffic control; also automatic crossing gates, audible and visible, highway crossing protection.

⁴³ Including fixed ladders and platforms on signal posts or signal bridges.

8423. Installation or removal of machinery and other shop equipment.
8424. Maintenance of machinery and other shop equipment.

Accidents while engaged in signal work, due to

8471. Flying objects.
8472. Falling objects.
8473. Electrical flash, shock or burn.
8474. Fire or explosion.
8475. Hot or corrosive substances.
8476. Fumes or gases.
8477. Stumbling, slipping or falling.
8488. Other causes.*

COMMUNICATION SYSTEM

Construction, installation, removal, servicing or maintenance of communication structures or equipment, including facilities used for doing this work

*A. Telephone, telegraph and radio communications***

8501. Use of hand tools at site.
8502. Use of portable power tools at site.
8503. Use of ladders, linemen's climbing irons, etc.
8504. Use of pole-setting or other hoisting equipment at site.
8505. Loading or unloading material on cars or trucks.
8506. Moving cars in communications work.
8507. Use of machinery and other equipment at shop.

B. Communications shop facilities

8521. Construction, reconstruction or removal of shop buildings or storehouses.
8522. Maintenance of shop buildings or storehouses.
8523. Installation or removal of machinery and other shop equipment.
8524. Maintenance of machinery and other shop equipment.

Accidents while engaged in communications work, due to

8571. Flying objects.
8572. Falling objects.
8573. Electrical flash, shock or burn.
8574. Fire or explosion.
8575. Hot or corrosive substances.
8576. Fumes or gases.
8577. Stumbling, slipping or falling.
8588. Other causes.*

OTHER WAY AND STRUCTURES

Operating, servicing and maintenance of track motor cars and other roadway machines, including facilities for maintaining same

*A. Operation of track motor cars and other roadway machines***

8901. Track motor cars striking each other.
8902. Track motor cars striking other roadway machines.
8903. Track motor cars leaving the track while in motion.
8904. Track motor cars, jumping from, in anticipation of nontrain accident.
8905. Other nontrain accidents involving operation of track motor cars.
8906. Other nontrain accidents involving operation of other roadway machines, not elsewhere classified.

*Including information insufficient to classify.

**Consisting of telephone and telegraph systems (including carrier current and radio), teletype, facsimile, television, teleautograph, train identification, inductive and radio train communication and public address systems.

*For track motor car and other roadway machine accidents involving operation of locomotives or cars see Code numbers 4306, 6331 through 6334.

B. Servicing or maintenance of roadway machines

8911. Use of portable tools.*
8912. Use of shop machinery.*
8913. Construction, reconstruction or removal of shop buildings or storehouses.
8914. Maintenance of shop buildings or storehouses.
8915. Installation or removal of shop machinery.*
8916. Maintenance of shop machinery.*

*Power plants, substations, power transmission systems and power distribution systems***

A. Power plants

8921. Construction, reconstruction, installation or removal of power plant buildings and machinery.
8922. Operation of power plant buildings and machinery.
8923. Servicing of power plant buildings and machinery.
8924. Maintenance of power plant buildings and machinery.

B. Substations

8931. Construction, reconstruction, installation or removal of substations.
8932. Operation of substations.
8933. Servicing of substations.
8934. Maintenance of substations.

C. Power transmission systems

8941. Construction, reconstruction, installation or removal of power transmission systems.
8942. Operation of power transmission systems.
8943. Servicing of power transmission systems.
8944. Maintenance of power transmission systems.

D. Power distribution systems

8951. Construction, reconstruction, installation or removal of power distribution systems.
8952. Operation of power distribution systems.
8953. Servicing of power distribution systems.
8954. Maintenance of power distribution systems.

*Construction, reconstruction, installation, removal or maintenance of fences and signs***

8961. Use of portable tools at site.*
8962. Use of paint spraying equipment at site.
8963. Use of paint spraying equipment at shop.
8964. Use of machinery at shop.*

Accidents while engaged in other way and structures work, due to

8971. Flying objects.
8972. Falling objects.
8973. Electrical flash, shock or burn.
8974. Fire or explosion.

*Including hand tools and portable power tools.

**Including machine tools and other fixed processing equipment.

*Power plants and distribution systems supplying heat, light, power and related services for shops, enginehouses, freight and passenger stations, etc., and located within or adjacent thereto, should be coded as part of the respective facilities served and not in this group.

*Over or beside operating tracks, or along right-of-way boundaries.

*Including machine tools and other fixed processing equipment.

8975. Hot or corrosive substances.
8976. Fumes or gases.
8977. Stumbling, slipping or falling.
8988. Other causes.*

9. MISCELLANEOUS CAUSES

*Accidents in and about freight or passenger stations***

9001. Operating freight stations, and the freight portion of combination stations.
9002. Handling freight within stations, to or from cars, between cars or within cars, by hand.
9003. Handling freight within stations, to or from cars, between cars or within cars, by power.
9004. Operating passenger stations, and the passenger portion of combination stations.
9005. Handling baggage, express and mail by hand.
9006. Handling baggage, express and mail by power.
9007. Other accidents within stations, not elsewhere classified.*
9008. Other accidents to station employees outside stations, not elsewhere classified.*

Accidents involving material handling facilities

9101. Operating storehouse buildings and equipment and storage yards.
9102. Operating car dumpers, gantry cranes, mules, skip hoists, shakeout devices, etc.

Accidents in and about yard offices

9201. Accidents to yard office employees and others within yard offices.
9202. Accidents to yard office employees outside yard offices.

Other miscellaneous accidents

9701. Accidents to crossing and bridge flagmen and gatemen.
9702. Accidents to patrolmen and watchmen.
9703. Accidents to commissary and laundry employees.

Accidents not elsewhere classified, due to

9871. Flying objects.
9872. Falling objects.
9873. Electrical flash, shock or burn.
9874. Fire or explosion.
9875. Hot or corrosive substances.
9876. Fumes or gases.
9877. Stumbling, slipping or falling.
9888. Accident investigated—other ascertained cause.

UNASCERTAINED CAUSES

9948. Accident investigated—cause undetermined.
9988. Accident not investigated.

ELECTRIC RAILWAYS

§ 125.60 *Electric railways; form of report.* (a) All carriers by electric railway subject to the Accident Reports Act, approved May 6, 1910, shall render their monthly accident reports to this Commission on Form L, as adopted for such carriers and shall be subject in all other respects to the provisions of "Rules Governing Monthly Reports of Railroad Accidents". (§ 125.10-125.55.)

* See Code numbers 8101 to 8108 and 8171 to 8188 for accidents involving the construction, reconstruction, removal or maintenance of these facilities.

* Such as taking train orders.

* Such as those around team tracks, grain elevators, stock loading pens, coal and ore wharves, track scales, and other places normally staffed by employees under the station agent's jurisdiction.

(b) Such rules shall be construed in such manner as to be conformable with the tenor of the modified requirements concerning electric railway companies indicated in this section.

[F. R. Doc. 56-9800; Filed, Nov. 30, 1956; 8:47 a. m.]

PART 184—CHART OF ACCOUNTS FOR CLASS II MOTOR CARRIERS OF PROPERTY

At a session of the Interstate Commerce Commission, division 2, held at its office in Washington, D. C., on the 23d day of November A. D. 1956.

The matter of accounting regulations prescribed for motor carriers of property being under consideration pursuant to provisions of sections 204 and 220 of the Interstate Commerce Act, as amended (49 Stat. 546, 54 Stat. 921, 49 U. S. C. 304 and 320); and,

It appearing that a notice of proposed rule making was issued September 18, 1956, announcing that a condensed uniform system of accounts for Class II motor carriers of property was under consideration, such notice being published in the FEDERAL REGISTER issue of October 4, 1956 (21 F. R. 7630) pursuant to provisions of section 4 (a) of the Administrative Procedure Act, and, after consideration of all written views and comments received in that connection on or before October 31, 1956, as provided in such notice:

It is ordered, That:

Effective date. Effective January 1, 1957, all Class II common and contract motor carriers of property shall maintain their accounts in conformity with the chart of accounts, which is set forth below and made a part hereof, and in accordance with the instructions embraced therein.

Notice. A copy of this order shall be served on each Class II common or contract motor carrier of property subject to Part II of the act and on every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

By the Commission, division 2.

[SEAL]

HAROLD D. MCCOY,
Secretary.

Sec.
184.0 Order of the Commission.
184.1 Classification of carriers.
184.2 Instructions.
184.3 Pickup and delivery.
184.4 Optional accounts.
184.5 Accounts prescribed.

AUTHORITY: §§ 184.0 to 184.5 issued under sec. 204, 49 Stat. 546, as amended; 49 U. S. C. 304. Interpret or apply sec. 220, 49 Stat. 563, as amended; 49 U. S. C. 320.

§ 184.0 Order of the Commission. Effective January 1, 1957, all Class II common and contract motor carriers of property shall maintain their accounts in conformity with the regulations in this part.

§ 184.1 Classification of carriers. Class II carriers are those having average annual gross operating revenues (including interstate and intrastate) of \$200,000, but less than \$1,000,000, from property motor carrier operations. The average annual revenues shall be determined in accordance with provisions of § 182.01-1 *Classification of carriers* of this subchapter.

§ 184.2 Instructions. Except as otherwise provided in § 184.3, entries recorded in the accounts prescribed for Class II motor carriers shall conform to the texts of corresponding Class I accounts, each such text being hereby separately referred to and made a part hereof. Accounts for Class II carriers shall be maintained according to the definitions and instructions prescribed for Class I carriers, as currently in effect or as interpreted, amended, or modified from time to time.

§ 184.3 Pickup and delivery. Class II common carriers which derive an average of 75 percent or more of their revenues from the intercity transportation

of general commodities and which have average annual gross revenues of \$500,000 or more, based on the three calendar years ended December 31, 1956, and on the latest three calendar years thereafter, shall separate expenses between line haul and pickup and delivery as provided in § 182.01-27 *Allocation of expenses between line haul and pickup and delivery* of this subchapter, all the other provisions of which are hereby specifically referred to and made a part hereof.

§ 184.4 Optional accounts. Any Class II carrier subject to the provisions of this chart of accounts may, at its option, conform its accounting to the regulations prescribed for Class I carriers; provided however, that the exercise of such option shall not interfere with assembling or grouping such accounts, as hereinafter prescribed, for annual report purposes.

§ 184.5 Accounts prescribed. Accounts maintained by Class II carriers shall be designated as follows and shall include the substance of the several Class I accounts to which they respectively correspond:

BALANCE SHEET—ASSET SIDE

ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS		CLASS I ACCOUNTS	
Current assets		Current assets	
100	Cash and working funds.....	1000	Cash.
		1020	Working funds.
104	Special deposits.....	1040	Special deposits.
		1041	Interest special deposits.
		1042	Dividend special deposits.
		1043	Miscellaneous special deposits.
108	Notes receivable.....	1080	Notes receivable.
110	Receivables from affiliated companies.....	1100	Receivables from affiliated companies.
		1101	Loans and notes receivable.
		1105	Interest and dividends receivable.
		1109	Accounts receivable.
112	Accounts receivable—other.....	1120	Accounts receivable—agents, customers, and interline.
		1130	Accounts receivable—other.
117	Prepayments.....	1170	Prepayments.
		1171	Prepaid taxes and licenses.
		1172	Prepaid insurance.
		1173	Prepaid interest.
		1174	Prepaid rents.
		1175	Prepaid stationery and printed matter.
		1176	Prepaid tires and tubes.
		1179	Miscellaneous prepayments.
118	Material and supplies.....	1180	Material and supplies.
119	Other current assets.....	1060	Temporary cash investments.
		1140	Subscribers to capital stock.
		1160	Interest and dividends receivable.
		1190	Other current assets.
Property and investments		Tangible property	
120	Carrier property.....	1200	Carrier operating property.
		1300	Carrier operating property leased to others.
121	Land and structures.....	1201	Land and land rights.
		1210	Structures.
122	Revenue equipment.....	1220	Revenue equipment.
123	Service cars and equipment.....	1230	Service cars and equipment.
124	Other carrier property.....	1240	Shop and garage equipment.
		1250	Furniture and office equipment.
		1260	Miscellaneous equipment.
		1270	Improvements to leasehold property.
		1280	Undistributed property.
		1290	Unfinished construction.
140	Noncarrier property.....	1400	Noncarrier property.
		Intangible property	
150	Organization, franchises and permits.....	1500	Organization, franchises and permits.
		1501	Organization.
		1511	Franchises.
		1541	Patents.
155	Other intangible property.....	1550	Other intangible property.

BALANCE SHEET—ASSET SIDE—Continued		BALANCE SHEET—LIABILITY SIDE—Continued	
ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS		ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS	
CLASS I ACCOUNTS		CLASS I ACCOUNTS	
<i>Property and investments—Continued</i>		<i>Deferred credits and reserves—Continued</i>	
160 Investments and advances—affiliated companies.	1600	Investments and advances—affiliated companies.	250
165 Other investments, advances and special funds.	1650	Other investments and advances.	250
<i>Special funds</i>		<i>Reserves</i>	
1701 Sinking funds.	1701	Reserve for depreciation—carrier operating property.	2500
1751 Depreciation funds.	1751	Reserve for depreciation—carrier operating property leased to others.	2500
1761 Miscellaneous special funds.	1761	Reserve for depreciation—structures.	2510
<i>Deferred and miscellaneous debits</i>		Reserve for depreciation—revenue equipment.	2520
185 Deferred and miscellaneous debits.	1850	Reserve for depreciation—service cars and equipment.	2530
	1890	Reserve for depreciation—shop and garage equipment.	2540
	1890	Reserve for depreciation—furniture and office equipment.	2550
	1900	Reserve for depreciation—miscellaneous equipment.	2560
	1910	Reserve for depreciation—improvements to leasehold property.	2570
	1920	Reserve for depreciation—undistributed property.	2580
	1990	Reserve for amortization—carrier operating property.	2600
	1990	Reserve for depreciation and amortization—non-carrier property.	2610
	2000	Other reserves.	2630
	2020	Reserve for adjustments—investments and advances.	2650
	2030	Reserve for uncollectible accounts.	2660
	2031	Insurance reserves.	2680
	2035	Injuries, loss, and damage reserves.	2690
	2039	Other reserves.	2700
	2050	Capital and surplus	2700
	2051	Capital stock	2710
	2055	Preferred capital stock.	2730
	2059	Common capital stock.	2720
	2070	Capital stock subscribed.	2720
	2090	Premiums and assessments on capital stock.	2800
	2100	Sole proprietorship capital.	2810
	2120	Partnership capital.	2900
	2150	Unearned surplus.	2930
	2160	Earned surplus.	3000
	2190	Other current liabilities.	3100
	2200	Advances payable	3110
	2250	Advances payable—affiliated companies.	3120
	2300	Other advances payable.	3130
	2330	Equipment and other long-term obligations	3900
	2360	Equipment obligations.	3900
	2400	Bonds.	3900
	2450	Other long-term obligations.	3900
	2450	Deferred credits	3900
	2450	Unamortized premium on debt.	3900
	2450	Other deferred credits.	3900

INCOME ACCOUNTS—Continued		CLASS I ACCOUNTS		INCOME ACCOUNTS—Continued		CLASS I ACCOUNTS	
ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS		ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS		ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS		ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS	
I Carrier Operating Income—Continued		I Carrier Operating Income—Continued		I Carrier Operating Income—Continued		I Carrier Operating Income—Continued	
Expenses		Expenses		Expenses—Continued		Expenses—Continued	
400	Operation and maintenance expenses.	4000	Operation and maintenance expenses.	438	Other terminal expenses.	4345	Employees' welfare expenses.
410	Equipment maintenance.	4100	Equipment maintenance.	439	Joint terminal facilities—net.	4380	Other terminal expenses.
411	Supervision, office and other expenses.	4110	Supervision.	440	Traffic.	4385	Operating rents.
413.0	Repairs and servicing—Revenue equipment.	4130	Repairs and servicing—revenue equipment.	441	Supervision, office and other expenses.	4391	Joint terminal facilities—debit.
413.1	Line haul.	4131	Line haul.	443	Tariffs and schedules.	4396	Joint terminal facilities—credit.
413.5	Pickup and delivery.	4135	Pickup and delivery.	448	Other traffic expenses.	4400	Traffic.
416.0	Tires and tubes—revenue equipment.	4160	Tires and tubes—revenue equipment.	450	Insurance and safety.	4410	Supervision.
416.1	Line haul.	4161	Line haul.	451	Supervision, office and other expenses.	4420	Office and other expenses.
416.5	Pickup and delivery.	4165	Pickup and delivery.	453	Public liability and property damage.	4430	Tariffs and schedules.
418	Other maintenance expenses.	4185	Operating rents.	454	Workmen's compensation.	4445	Employees' welfare expenses.
419	Joint garage expense—net.	4191	Joint garage expense—debit.	455	Cargo, loss and damage.	4450	Advertising.
420	Transportation.	4196	Joint garage expense—credit.	456	Fire, theft and collision.	4480	Other traffic expenses.
421	Supervision, office and other expenses.	4200	Transportation.	457	Other insurance expense.	4485	Operating rents.
423.0	Drivers and helpers.	4210	Supervision.	458	Other insurance and safety department expense.	4500	Insurance and safety.
423.1	Line haul.	4230	Office and other expenses.	460	Administrative and general.	4510	Supervision.
423.5	Pickup and delivery.	4231	Drivers and helpers.	461.0	Supervision.	4520	Office and other expenses.
425.0	Fuel and oil—revenue equipment.	4235	Line haul.	461.1	Salaries—general officers.	4530	Public liability and property damage.
425.1	Line haul.	4250	Pickup and delivery.	461.2	Salaries—revenue accounting.	4540	Workmen's compensation.
425.5	Pickup and delivery.	4251	Fuel for revenue equipment.	461.3	Salaries—other general office employees.	4550	Cargo, loss and damage.
427.0	Purchased transportation.	4255	Line haul.	462	Other general office expenses.	4560	Fire, theft and collision.
427.1	Equipment rents—intercity—with drivers.	4260	Pickup and delivery.	463	Law and outside auditing expenses.	4570	Other insurance expense.
427.2	Equipment rents—intercity—without drivers.	4261	Oil for revenue equipment.	464	Communication service.	4545	Employees' welfare expenses.
427.3	Other purchased transportation—intercity.	4265	Line haul.	465	Uncollectible revenues.	4580	Other insurance and safety department expense.
427.5	Equipment rents—pickup and delivery—with drivers.	4270	Pickup and delivery.	466	Regulatory expenses.	4585	Operating rents.
427.6	Equipment rents—pickup and delivery—without drivers.	4271	Purchased transportation.	467	Other general expenses.	4600	Administrative and general.
427.7	Other purchased pickup and delivery.	4272	Equipment rents—intercity—with drivers.	468	Joint operating expense—net.	4610	Supervision.
427.9	Equipment rents—credit.	4273	Other purchased transportation—intercity.	469	Depreciation expense.	4611	Salaries—general officers.
428	Other transportation expenses.	4275	Equipment rents—pickup and delivery—with drivers.	500	Depreciation of structures.	4612	Salaries—revenue accounting.
430	Terminal.	4276	Equipment rents—pickup and delivery—without drivers.	501	Depreciation of revenue equipment.	4613	Salaries—other general office employees.
431.0	Supervision.	4277	Other purchased pickup and delivery.	502.0	Line haul.	4620	Office and other expenses.
431.1	Supervisory salaries.	4279	Equipment rents—credit.	502.1	Pickup and delivery.	4621	Expenses—general officers.
431.2	Salaries and fees—billing and collecting.	4280	Employees' welfare expenses.	503	Depreciation of service cars and equipment.	4622	Expenses—general office employees.
431.3	Other office employees.	4285	Operating rents.	504	Depreciation of shop and garage equipment.	4623	Other general office expenses.
432	Office and other expenses.	4300	Terminal.			4630	Law expenses.
434	Salaries and wages—platform employees.	4310	Supervision.			4635	Outside auditing expenses.
435	Other terminal employees.	4311	Supervisory salaries.			4640	Communication service.
436	Commission agents.	4312	Salaries and fees—billing and collecting.			4660	Uncollectible revenues.
		4313	Other office employees.			4670	Regulatory expenses.
		4320	Office and other expenses.			4645	Employees' welfare expenses.
		4340	Salaries and wages—platform employees.			4650	Management and supervision fees.
		4350	Other terminal employees.			4675	Purchasing and store expenses.
		4360	Commission agents.			4680	Other general expenses.

INCOME ACCOUNTS—Continued

ACCOUNTS PRESCRIBED FOR CLASS II CARRIERS

I Carrier Operating Income—Continued

Expenses—Continued

505	Depreciation expense—Continued
506	Depreciation of furniture and office equipment.
507	Depreciation of miscellaneous equipment.
507	Depreciation of other carrier property.
510	Depreciation adjustment.
515	Amortization of carrier property.

520	Operating taxes and licenses.
521.0	Gasoline, other fuel and oil taxes.
521.1	Line haul.
521.5	Pickup and delivery.
522.0	Vehicle license and registration fees.

522.1	Line haul.
522.5	Pickup and delivery.
523	Real estate and personal property taxes.

524	Social security taxes.
525	Other taxes.
540	Lease of distinct operating unit—debit.

550	Lease of distinct operating unit—credit.
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II Other Ordinary Income

610	Income from noncarrier operations—net.
650	Interest, dividends, and other nonoperating income.

III Deductions from Ordinary Income

710	Interest.
750	Other income deductions.

IV Extraordinary Income

810	Extraordinary income credits.
820	Extraordinary income charges.
860	Income taxes.

CLASS I ACCOUNTS

I Carrier Operating Income—Continued

Expenses—Continued

5050	Depreciation expense—Continued
5060	Depreciation of furniture and office equipment.
5060	Depreciation of miscellaneous equipment.
5070	Depreciation of improvements to leasehold property.
5080	Depreciation of undistributed property.

5100	Depreciation adjustment.
5150	Amortization chargeable to operations.
5151	Amortization of carrier operating property.

5155	Extraordinary property losses.
5200	Operating taxes and licenses.
5210	Gasoline, other fuel and oil taxes.
5211	Line haul.
5215	Pickup and delivery.
5220	Vehicle license and registration fees.

5221	Line haul.
5225	Pickup and delivery.
5230	Real estate and personal property taxes.

5240	Social security taxes.
5250	Other taxes.
5400	Lease of distinct operating unit—debit.

5500	Lease of distinct operating unit—credit.
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II Other Ordinary Income

6100	Income from noncarrier operations—net.
6300	Interest income.
6400	Dividend income.
6500	Other nonoperating income.

III Deductions from Ordinary Income

7100	Interest.
7300	Amortization of debt discount and expense.
7400	Amortization of premiums on debt—credit.
7500	Other deductions.

IV Extraordinary Income

8100	Extraordinary income credits.
8400	Delayed income credits.
8200	Extraordinary income charges.
8600	Delayed income charges.
8800	Income taxes.
8810	Federal income taxes.
8820	State income taxes.
8830	Other income taxes.

[F. R. Doc. 56-9821; Filed, Nov. 30, 1956; 8:45 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service,
Department of the InteriorSubchapter D—Federal Aid to States in
Fish and Wildlife RestorationPART 41—RESTORATION OF GAME BIRDS,
FISH AND MAMMALS

DIVISION

Basis and purpose. The Federal Aid to Wildlife Restoration Act of September 2, 1937 (50 Stat. 917), as amended August 18, 1941 (55 Stat. 632), July 24, 1946 (60 Stat. 656), and August 3, 1950 (64 Stat. 399; 16 U. S. C. 669-669i), was further amended by the act of August 12, 1955 (69 Stat. 698; 16 U. S. C. 669g), to authorize the expenditure of program

funds for management (exclusive of law enforcement and public relations) of wildlife areas and resources. Thus, the Wildlife Restoration Act now embodies the management authorization contained in the jointly administered Federal Aid to Fish Restoration and Management Act of August 9, 1950 (64 Stat. 430; 16 U. S. C. 777). It now has become necessary to revise the existing regulations to reflect the broadened operational latitude made possible by the amendment of August 12, 1955. Other modifications are deemed desirable to simplify administrative procedures. Accordingly, the regulations under Part 41, Title 50, Code of Federal Regulations, are amended as follows:

1. The heading for Subchapter D is amended to read as set forth above.

2. Part 41 is completely revised to read as follows:

DEFINITIONS

Sec.

41.1 Meaning of terms.

APPORTIONMENT OF FUNDS TO STATES

41.11 Apportionment and certification.

STATE PARTICIPATION

41.16 Notice of desire to participate.

INFORMATION REQUIRED

41.21 General information for the Secretary.

41.22 Hunting and fishing license information.

41.23 Information from State Fish and Game Departments.

PROJECT INITIATION DOCUMENTS

41.26 Preliminary project statement.

41.27 Plans, specifications, and estimates; form and arrangement.

41.28 Project agreements.

PARTICIPATION BY OTHER STATE AGENCIES

41.31 Participation by State subdivisions.

REQUIREMENTS FOR PAYMENTS

41.36 Secretary's approval.

41.37 Economy and efficiency.

41.38 Contracts; competitive bids.

41.39 Lowest responsible bids.

41.40 Copy of contract.

41.41 Form of vouchers.

STATES' RESPONSIBILITIES

41.46 Prosecution; promptness.

41.47 Inspection.

41.48 Reports.

41.49 Samples of materials to be submitted.

41.50 Records and cost accounting.

41.51 Inspection of accounts and records.

41.52 Submission.

41.53 Personnel.

41.54 Records retention period.

PROJECT STANDARDS

41.70 Project standards.

AUTHORITY: §§ 41.1 to 41.70 issued under sec. 10, 50 Stat. 919, as amended, sec. 10, 64 Stat. 434; 16 U. S. C. 669i, 777i.

DEFINITIONS

§ 41.1 *Meaning of terms.* For the purposes of the regulations in this part, terms shall have the meanings ascribed in this section.

(a) *Federal aid act(s).* (1) The Act of Congress, approved September 2, 1937, entitled "An Act to provide that the United States shall aid the States in wildlife-restoration projects, and for other purposes," (50 Stat. 917; 16 U. S. C. 669-669i), commonly referred to as the Pittman-Robertson Act; and (2) The Act of Congress, approved August 9, 1950, entitled "An Act to provide that the United States shall aid the States in fish restoration and management projects, and for other purposes," (64 Stat. 430; 16 U. S. C. 777-777k), commonly referred to as the Dingell-Johnson Act.

(b) *Secretary.* The Secretary of the Interior or his authorized representative.

(c) *State.* Any State or Commonwealth (including the Commonwealth of Puerto Rico) of the United States, the Territories of Alaska and Hawaii, and Guam and the Virgin Islands.

(d) *State Fish and Game Department.* Any department or division of department of another name, or commission, or official or officials, of a State empowered under its laws to exercise the functions

ordinarily exercised by a State Fish and Game Department, or the Alaska Game Commission, the Division of Game and Fish of the Board of Commissioners of Agriculture and Forestry of Hawaii, the Commissioner of Agriculture and Commerce of Puerto Rico, or the Governors of Guam or the Virgin Islands.

(e) *Restoration project, hereinafter referred to as "project(s)."* Acquisition of areas of land or water or interests therein, for feeding, resting, or breeding places for fish or wildlife; restoration, rehabilitation, or improvement, by construction of necessary works or otherwise, of land and water areas for the benefit of fish or wildlife; maintenance of completed projects; management (exclusive of law enforcement and public relations) of fish or wildlife areas and resources; conduct of research into problems of fish or wildlife management, and the coordination of projects necessary to efficient administration affecting fish and wildlife resources.

(f) *Combination project.* A project designed to result in benefits to both fish and wildlife resources in which Federal costs are allocated to apportionments made under the acts in the ratio of estimated benefits to be derived by wildlife and fish, respectively.

(g) *Fish and wildlife to be benefited.* (1) The term "fish" is limited to aquatic, gill breathing, vertebrate animals bearing paired fins; and (2) the term "wildlife" is limited to wild birds and wild mammals.

(h) *Completed project.* A project shall be deemed completed when the lands have been acquired or restoration work has been finished, inspected and found to be satisfactorily performed or fish or wildlife research has been completed, as the case may be, in accordance with the provisions of the project agreement.

APPORTIONMENT OF FUNDS TO STATES

§ 41.11 *Apportionment and certification.* As soon as possible after the close of each fiscal year (July 1-June 30), and after receiving notification of the amounts which have become available for the purposes of the acts, the Secretary shall apportion such funds in the manner prescribed in such acts and shall promptly certify to the Secretary of the Treasury and to each State Fish and Game Department the respective sums which he has deducted for administering and executing the acts and the respective sums which he has apportioned to each State for the ensuing fiscal year.

STATE PARTICIPATION

§ 41.16 *Notice of desire to participate.* Any State Fish and Game Department desiring to avail itself of the benefits of the acts shall notify the Secretary to that effect within sixty days after it has received from the Secretary a certificate of apportionment of funds available to the State.

INFORMATION REQUIRED

§ 41.21 *General information for the Secretary.* Before any commitment is made obligating Federal funds for any project to be undertaken in a State, there shall be furnished to the Secretary upon his request, by or on behalf of the State,

information regarding the laws affecting fish or wildlife conservation and the authority of the State and of local officials with respect to the establishment and maintenance of projects; and the existing provisions of the State constitution or laws relating to revenues for the protection, restoration and management of fish or wildlife.

§ 41.22 *Hunting and fishing license information.* Certified information concerning the number of holders of paid hunting licenses and holders of paid fishing licenses of the State in the preceding fiscal year shall be furnished the Secretary by the Fish and Game Department of each State on or before September 15 of each year.

§ 41.23 *Information from State Fish and Game Departments.* The Secretary may, from time to time, request and the State Fish and Game Department shall furnish information relating to the administration and maintenance of any project established under the acts.

NOTE: All record keeping and reporting requirements of the regulations in this part have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

PROJECT INITIATION DOCUMENTS

§ 41.26 *Preliminary project statement.* A preliminary project statement shall be submitted for each project to be undertaken, which shall contain such fundamental information as the Secretary may require and which will be specified in form furnished by him, in order that he may determine project suitability.

§ 41.27 *Plans, specifications, and estimates; form and arrangement.* Plans, specifications, and estimates shall be submitted for each project showing in convenient form and detail the work to be performed and its probable cost, in conformity with standards governing form and arrangement prescribed by the Secretary and furnished to the States.

§ 41.28 *Project agreements.* After the Secretary shall have approved a preliminary project statement and the plans, specifications, and estimates of costs, the mutual obligations to be undertaken by the cooperating agencies shall be evidenced by a project agreement to be executed between the State Fish and Game Department and the Secretary for each such project.

PARTICIPATION BY OTHER STATE AGENCIES

§ 41.31 *Participation by State subdivisions.* When any part of the cost of a project is to be furnished by a county or any other subdivision of a State, the plans, specifications, and estimates shall be accompanied by a certified copy of each resolution or order, if any, of the appropriate local officials, or by such other showing as the Secretary may require, respecting the funds that are made available, indicating the control of the money provided for paying such cost, and clearly defining whether the State, county, or other subdivision will own the lands and/or improvements; and stating which agency shall have immediate responsibility for administration and

maintenance after completion of the project.

REQUIREMENTS FOR PAYMENTS

§ 41.36 *Secretary's approval.* No payment of any money apportioned under the acts, including such preliminary costs and expenses as may be incurred in and about such projects, shall be made on any project unless the preliminary project statement, the plans, specifications, and estimates, the project agreement, and all other documents that may be necessary or required in the administration of this part, shall have first been submitted to and approved by the Secretary.

§ 41.37 *Economy and efficiency.* No part of the Federal funds set aside on account of any project shall be paid until it has been shown to the satisfaction of the Secretary that appropriate and adequate means, either by advertisement or otherwise, were employed to insure economy and efficiency in the completion of such project.

§ 41.38 *Contracts; competitive bids.* All contracts involving an expenditure in excess of \$500 entered into by a State for the execution of a project, except contracts for the purchase or lease of lands, shall be based upon free and open competitive bids.

§ 41.39 *Lowest responsible bids.* If a contract be awarded to other than the lowest responsible bidder, the Federal Government shall not pay more than its pro rata share of the lowest responsible bid, unless it be satisfactorily shown that it was advantageous to the project to accept the higher bid.

§ 41.40 *Copy of contract.* Upon request, a copy of each contract as executed shall be certified by the State Fish and Game Department and promptly furnished to the Secretary.

§ 41.41 *Form of vouchers.* Vouchers on forms provided by the Secretary and certified as therein prescribed, showing amounts expended on each project and the amount claimed to be due from the Federal Government on account thereof, shall be submitted to the Secretary by the State Fish and Game Department, either after completion of the project, or if the Secretary has determined that payments may be made as the work progresses, at intervals of not less than one month.

STATES' RESPONSIBILITIES

§ 41.46 *Prosecution; promptness.* The State Fish and Game Department shall carry all approved projects through to satisfactory completion with reasonable promptness.

§ 41.47 *Inspection.* Supervision of each project by the State Fish and Game Department shall include adequate and continuous inspection.

§ 41.48 *Reports.* Progress and completion reports shall be furnished as requested by the Secretary.

§ 41.49 *Samples of materials to be submitted.* Whenever requested, suitable samples of materials to be used in construction work shall be submitted to

the Secretary by or on behalf of the State Fish and Game Department to be tested for suitability and conformity with standard specifications.

§ 41.50 *Records and cost accounting.* Records of the cost of land acquired, improvements made thereon, construction work, overhead costs, and of maintenance done by or on behalf of the State shall be kept separately for each project.

§ 41.51 *Inspection of accounts and records.* The accounts and records, together with all supporting documents, shall be open at all times to the inspection of authorized representatives of the United States, and copies thereof shall be furnished when requested.

§ 41.52 *Submission.* Papers and documents required by the acts or by the regulations in this part to be submitted to the Secretary may be delivered to the Commissioner of Fish and Wildlife, Department of the Interior, Washington 25, D. C., or to such other representative as he may designate and from the date of such delivery shall be deemed submitted.

§ 41.53 *Personnel.* The State Fish and Game Department shall maintain an adequate and competent force of em-

ployees to initiate and carry projects through to satisfactory completion. Personnel employed by a State Fish and Game Department to carry out project work under the acts shall be selected on the basis of their competence to perform the services required and shall conduct their duties in a manner acceptable to the Secretary.

§ 41.54 *Records retention period.* The records, accounts, and supporting documents required to be maintained under the regulations in this part shall be retained by the State Fish and Game Department until such time as the Secretary shall have made a final audit of the project accounts and notified such department of the acceptability of project claims and accomplishments and for a period of three years following the receipt of such notification.

PROJECT STANDARDS

§ 41.70 *Project standards.* Standards for Federal aid projects are as follows:

(a) Sufficient funds must be available for expenditure by the State Fish and Game Department for the purpose of originally financing the costs of the projects.

(b) Projects must be substantial in character and design.

(c) The acquisition of lands under a project must be at prices determined by the Secretary to be fair and reasonable.

(d) Projects for development, maintenance or management shall have as their objectives the improvement of conditions suitable for fish or wildlife, the upkeep and repair of structures that have been acquired or constructed under either Federal Aid Act or the management of fish and wildlife areas and resources.

(e) Projects dealing with fish or wildlife surveys and investigations shall be limited to problems having direct management application.

(f) With respect to projects which are designed to include uses other than for fish or wildlife, reimbursement of costs from funds under the Acts shall be limited to the extent of the benefits to fish or wildlife resulting from such projects.

These amendments shall become effective upon publication in the *FEDERAL REGISTER*.

Issued at Washington, D. C., and dated November 27, 1956.

FRED A. SEATON,
Secretary of the Interior.

[F. R. Doc. 56-9848; Filed, Nov. 30, 1956; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF COMMERCE

Civil Aeronautics Administration

[14 CFR Part 514]

TECHNICAL STANDARD ORDERS FOR AIRCRAFT MATERIALS, PARTS, PROCESSES, AND APPLIANCES

PROPELLER FEATHERING HOSE ASSEMBLIES

The proposed regulation § 514.40 establishes minimum performance standards for propeller feathering hose assemblies which are to be used in civil aircraft of the United States.

Section 514.40 is proposed for adoption. All interested persons who desire to submit comments and suggestions for consideration by the Administrator of Civil Aeronautics in connection with the proposed rules should send them to the Civil Aeronautics Administration, Washington 25, D. C., within 30 days after publication of this notice in the *FEDERAL REGISTER*.

Section 514.40 is added under Subpart B of this part to read as follows:

§ 514.40 *Propeller Feathering hose assemblies (rubber and wire braid construction)—TSO-C42—(a) Applicability—(1) Minimum performance standards.* Minimum performance standards are hereby established for propeller feathering hose assemblies of the following types which are to be used in civil aircraft of the United States:

(i) Type 1 (pressure line) hose assemblies which are intended to be used in the

line connecting the feathering pump outlet to the propeller governor.

(ii) Type 2 (supply line "fire-resistant") hose assemblies which are intended to be used in the line connecting the oil supply to the feathering pump where this entire line is located aft of the firewall.

(iii) Type 3 (supply line "fireproof") hose assemblies which are intended to be used in the line connecting the oil supply to the feathering pump where this line is located wholly or in part forward of the firewall.

New models of propeller feathering hose assemblies manufactured for use in civil aircraft on or after the effective date of this section shall meet the "performance" and "identification of product" sections of Military Specification MIL-H-8795 (ASG) dated January 6, 1956,¹ or MIL-H-8790 dated August 22, 1956,¹ with the following exception and shall also meet the appropriate fire test requirements listed below.

(2) *Exception.* The hydraulic impulse test requirements in MIL-H-8795 (ASG) and MIL-H-8790 need not be met for the purposes of this section.

(3) *Pressure line (type 1) hose assembly fire test—(i) Test setup and flame requirements.* (a) For the purpose of

this test, a length of hose five times the outside diameter or longer shall be subjected to a flame of the size and temperature specified in (d) and (e) of this subdivision while the hose is in a horizontal position. The entire end fitting shall also be subjected to this flame.

(b) The hose assembly shall be installed horizontally in the test setup in such a manner that it includes at least one full 90° bend so that the pressure existing inside the hose will exert an axial force on the end fitting equal to the inside area of the hose multiplied by the internal pressure.

(c) During the test the end fitting which is subjected to flame shall be vibrated at the rate of 2,000 cycles per minute through a total amplitude of not less than 1/4 inch, i. e., a displacement of 1/8 inch on each side of the neutral position.

(d) The flame temperature shall be 2,000° F., plus or minus 50° F. as measured within 1/4 inch of the surface of the hose and end fitting at the point nearest the flame. Suitable shielded thermocouples or equivalent temperature measuring devices shall be used for measuring the flame temperature. A sufficient number of these shall be used to assure that the specified temperature exists at least along the entire end fitting and along the hose for a distance of not less than three times its outside diameter.

(e) The flame diameter shall not be less than three times the maximum diameter of the hose or three times the

¹ Copies of these specifications may be obtained by addressing a request to the Commanding General, Air Materiel Command, Wright-Patterson Air Force Base, Dayton, Ohio.

maximum diameter of the end fitting (whichever is greater). The length of the flame shall be such that it extends beyond the end fitting and hose when they are in place during the test, for a distance of not less than three times the maximum diameter of the hose or three times the maximum diameter of the end fitting, whichever is greater.

(f) During the test SAE 20 oil or equivalent shall be circulated through the hose assembly, and the oil shall enter the hose assembly at a temperature of not less than 200° F.

NOTE: Items (d) and (e) above, concerning flame size and distribution, will be revised in accordance with agreements reached with the SAE A-3 Flame Test Subcommittee, when its study of this problem is completed.

(ii) *Fire test procedure—(a) Part I.*

Pressure: 150 psi (minimum).
Oil flow rate: 1.3 quarts/minute (maximum).
Duration: 4 minutes, 30 seconds.

(b) *Part II (which shall immediately follow Part I).*

Pressure: 1650 psi (minimum).
Oil flow rate: 14 quarts/minute (maximum; any lower flow rate is acceptable).
Duration: 30 seconds.

(iii) *Criteria for acceptability.* The hose assembly under test shall be considered acceptable if it complies with these test conditions without evidence of leakage.

(4) *Supply line "fire-resistant" (type 2) hose assembly fire test—(i) Test setup and flame requirements.* Same as subdivision (i) of subparagraph (3) of this paragraph.

(ii) *Fire test procedure.*

Pressure: 30 psi (minimum).
Oil flow rate: 1.3 quarts/minute (maximum).
Duration: 5 minutes.

(iii) *Criteria for acceptability.* Same as subdivision (iii) of subparagraph (3) of this paragraph.

(5) *Supply line "fireproof" (type 3) hose assembly fire test—(i) Test setup and flame requirements.* Same as subdivision (i) of subparagraph (3) of this paragraph.

(ii) *Fire test procedure.* Test shall be conducted as described in subdivision (ii) of subparagraph (4) of this paragraph except that upon completion thereof test shall be extended for an additional 10 minutes, making the total duration 15 minutes.

(iii) *Criteria for acceptability.* Same as subdivision (iii) of subparagraph (3) of this paragraph.

(b) *Markings.* The following marking is required in lieu of that specified in § 514.3:

(1) Name or trademark of the manufacturer responsible for compliance with this TSO.

(2) Model designation.

(3) Date of manufacture.

(4) Applicable TSO number, followed immediately by "Type Number" (as "Type 1", etc.). This identification must be legibly stamped on a steel (or other fireproof material) band securely affixed to the hose assembly.

(Sec. 205, 54 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1907, as amended; 49 U. S. C. 551)

[SEAL]

S. A. KEMP,
Acting Administrator
of Civil Aeronautics.

[F. R. Doc. 56-9837; Filed, Nov. 30, 1956;
8:45 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 26]

WHEAT

OFFICIAL GRAIN STANDARD OF THE UNITED STATES

Notice is hereby given that the United States Department of Agriculture has under consideration a proposed revision of the Official Grain Standards of the United States for wheat (7 CFR 26.101 et seq., as amended) promulgated under the authority of the United States Grain Standards Act, as amended (39 Stat. 482; 54 Stat. 765; 7 U. S. C. 71 et seq.).

The need for a revision of the official standards for wheat has been emphasized by various advisory boards and committees and by Agricultural trade missions. Requests for a revision of the standards also have been made by national organizations of producers, handlers and processors of wheat. All suggestions have been directed to changes in the standards that will reflect improvement in the quality of wheat as marketed. The Department arranged a conference in September 1955 for the purpose of determining more specifically what changes, if any, should be made in the official wheat standards to make them more acceptable under present-day production and marketing conditions. This conference was attended by representatives of national associations of growers, shippers, processors and others interested in the production, marketing and utilization of wheat. Specific changes were recommended by this group, all aimed at improvement in the quality of United States wheat in domestic and export commerce. Following the conference, studies were conducted by the Department to determine the effect of the recommended changes on the practical application of the standards and the marketing of the crop. As a result, the following changes are offered for consideration:

(1) A reduction in the minimum moisture requirement for tough wheat.

(2) The incorporation of a special grade for wheat of low moisture content.

(3) A reduction in the limits of total foreign material and elimination of the factor "matter except other grains."

(4) A reduction in the limits of shrunken and broken kernels.

(5) A reduction in the limits of wheats of other classes.

(6) The expression of dockage in terms of half rather than whole percents.

(7) A change in the limits of dark, hard, and vitreous kernels in the subclasses Hard Winter Wheat and Yellow Hard Winter Wheat of the class Hard Red Winter Wheat.

(8) The elimination of smut dockage and the designation of all smutty wheat as "Light Smutty," "Medium Smutty," or "Heavy Smutty."

(9) The incorporation of more specific sanitation requirements in the wheat standards.

(10) The elimination of "Amber Mixed Durum" and "Mixed Durum" as a part of the grade designation in the class Mixed Wheat.

(11) The incorporation of other changes of minor importance.

It is proposed that consideration be given to revising the Official Grain Standards of the United States for Wheat to read essentially as follows:

§ 26.101 *Terms defined.* For the purposes of the Official Grain Standards of the United States for Wheat:

(a) *Wheat.* Wheat shall be the grain of common wheat (*Triticum vulgare*), club wheat (*T. compactum*), and durum wheat (*T. durum*) which, before the removal of the dockage consists of 50 percent or more of one or more of these wheats and not more than 10.0 percent of other grains for which standards have been established under the United States Grain Standards Act and which, after the removal of the dockage contains 50 percent or more of whole kernels of one or more of these wheats.

(b) *Classes.* Wheat shall be divided into the following seven classes: Hard Red Spring Wheat, Durum Wheat, Red Durum Wheat, Hard Red Winter Wheat, Soft Red Winter Wheat, White Wheat, and Mixed Wheat.

(c) *Hard Red Spring Wheat.* The class Hard Red Spring Wheat shall include all varieties of hard red spring wheat and may include not more than 10.0 percent of wheats of other classes. This class shall be divided into the following three subclasses:

(1) *Dark Northern Spring Wheat.* The subclass Dark Northern Spring Wheat shall be Hard Red Spring Wheat with 75 percent or more of dark, hard, and vitreous kernels.

(2) *Northern Spring Wheat.* The subclass Northern Spring Wheat shall be Hard Red Spring Wheat with 25 percent or more but less than 75 percent of dark, hard, and vitreous kernels.

(3) *Red Spring Wheat.* The subclass Red Spring Wheat shall be Hard Red Spring Wheat with less than 25 percent of dark, hard, and vitreous kernels.

(d) *Durum Wheat.* The class Durum Wheat shall include all varieties of white (amber) durum wheat and may include not more than 10.0 percent of wheats of other classes. This class shall be divided into the following three subclasses:

(1) *Hard Amber Durum Wheat.* The subclass Hard Amber Durum Wheat shall be Durum Wheat with 75 percent or more of hard and vitreous kernels of amber color.

(2) *Amber Durum Wheat.* The subclass Amber Durum Wheat shall be Durum Wheat with 60 percent or more but less than 75 percent of hard and vitreous kernels of amber color.

(3) *Durum Wheat.* The subclass Durum Wheat shall be Durum Wheat with less than 60 percent of hard and vitreous kernels of amber color.

(e) *Red Durum Wheat.* The class Red Durum Wheat shall include all varieties of red durum wheat and may include not more than 10.0 percent of wheats of other classes.

(f) *Hard Red Winter Wheat.* The class Hard Red Winter Wheat shall include all varieties of hard red winter wheat and may include not more than 10.0 percent of wheats of other classes. This class shall be divided into the following three subclasses:

(1) *Dark Hard Winter Wheat.* The subclass Dark Hard Winter Wheat shall be Hard Red Winter Wheat with 75 percent or more of dark, hard, and vitreous kernels.

(2) *Hard Winter Wheat.* The subclass Hard Winter Wheat shall be Hard Red Winter Wheat with 40 percent or more but less than 75 percent of dark, hard, and vitreous kernels.

(3) *Yellow Hard Winter Wheat.* The subclass Yellow Hard Winter Wheat shall be Hard Red Winter Wheat with less than 40 percent of dark, hard, and vitreous kernels.

(g) *Soft Red Winter Wheat.* The class Soft Red Winter Wheat shall include all varieties of soft red winter wheat and may include not more than 10.0 percent of wheats of other classes. This class shall be divided into the following two subclasses:

(1) *Red Winter Wheat.* The subclass Red Winter Wheat shall be Soft Red Winter Wheat which may contain not more than 10.0 percent of soft red winter wheat grown west of the Great Plains area of the United States.

(2) *Western Red Wheat.* The subclass Western Red Wheat shall be Soft Red Winter Wheat containing more than 10.0 percent of soft red winter wheat grown west of the Great Plains area of the United States.

(h) *White Wheat.* The class White Wheat shall include all varieties of white wheat, and may include not more than 10.0 percent of wheats of other classes. This class shall be divided into the following four subclasses:

(1) *Hard White Wheat.* The subclass Hard White Wheat shall be White Wheat with 75 percent or more of hard (not soft and chalky) kernels and may contain not more than 10.0 percent of wheat of the white club varieties.

(2) *Soft White Wheat.* The subclass Soft White Wheat shall be White Wheat with less than 75 percent of hard (not soft and chalky) kernels and may contain not more than 10.0 percent of wheat of the white club varieties.

(3) *White Club Wheat.* The subclass White Club Wheat shall be White Wheat consisting of wheat of the white club varieties and may contain not more than 10.0 percent of other white wheats.

(4) *Western White Wheat.* The subclass Western White Wheat shall be White Wheat containing more than 10.0 percent of wheat of the white club varieties and more than 10.0 percent of other white wheats.

(i) *Mixed Wheat.* The class Mixed Wheat shall include all mixtures of

wheat not provided for in the classes Hard Red Spring Wheat, Durum Wheat, Red Durum Wheat, Hard Red Winter Wheat, Soft Red Winter Wheat, and White Wheat.

(j) *Grades.* Grades shall be the numerical grades, sample grade, and special grades provided for in § 26.103.

(k) *Dockage.* Dockage shall be weed seeds, weed stems, chaff, straw, grain other than wheat, sand, dirt, and any other material other than wheat, which can be removed readily from the wheat by the use of appropriate sieves and cleaning devices; also underdeveloped, shriveled, and small pieces of wheat kernels removed in properly separating the material other than wheat and which cannot be recovered by properly re-screening or recleaning. (See also paragraph (b) of § 26.102.)

(l) *Foreign material.* Foreign material shall be all matter other than wheat which is not separated from the wheat in the proper determination of dockage.

(m) *Other grains.* Other grains shall be rye, oats, corn, grain sorghums, barley, hull-less barley, flaxseed, emmer, spelt, einkorn, Polish wheat, poulard wheat, cultivated buckwheat, and soybeans.

(n) *Damaged kernels.* Damaged kernels shall be kernels and pieces of kernels of wheat and other grains which are heat damaged, sprouted, frosted, badly ground damaged, badly weather damaged, moldy, diseased, or otherwise materially damaged.

(o) *Heat-damaged kernels.* Heat-damaged kernels shall be kernels and pieces of kernels of wheat and other grains which have been materially discolored and damaged by heat.

(p) *Wheats of other classes.* Wheats of other classes shall be wheats other than that specified in the respective paragraph (a), (b), (c), (d), or (e) of § 26.103.

(q) *Shrunken and broken kernels.* Shrunken and broken kernels shall be all kernels and pieces of kernels of wheat and other matter that will pass readily through a 0.064 x 3/8 sieve.

(r) *0.064 x 3/8 sieve.* A 0.064 x 3/8 sieve shall be a metal sieve 0.032 inch thick perforated with slotted holes 0.0640

inch by 0.375 (3/8) inch with approximately 2,633 perforations per square foot.

(s) *Stones.* Stones shall be concreted earthy or mineral matter and other substances of similar hardness that do not disintegrate readily in water.

§ 26.102 *Principles governing application of standards.* The following principles shall apply in the determination of the classes and grades of wheat:

(a) *Basis of determination.* Each determination of dockage, temperature, odor, garlic, live weevils or other insects injurious to stored grain, contamination by animal filth, and distinctly low quality shall be upon the basis of the grain as a whole. All other determinations shall be upon the basis of the grain when free from dockage.

(b) *Percentages.* All percentages shall be upon the basis of weight. The percentage of dockage shall be expressed in terms of whole and half percents. A fraction of a percent of dockage when equal to or greater than one-half shall be expressed as one-half and when less than one-half shall be disregarded.

(c) *Moisture.* Moisture shall be ascertained by the air-oven method prescribed by the United States Department of Agriculture, as described in Service and Regulatory Announcements No. 147, issued by the Agricultural Marketing Service, or ascertained by any method which gives equivalent results.

(d) *Test weight per bushel.* Test weight per bushel shall be the weight per Winchester bushel as determined by the method prescribed by the United States Department of Agriculture, as described in Circular No. 921 issued June 1953, or as determined by any method which gives equivalent results.

§ 26.103 *Grades, grade requirements, and grade designations.* The following grades, grade requirements, and grade designations are applicable under these standards:

(a) *Grades and grade requirements for the subclasses Dark Northern Spring Wheat, Northern Spring Wheat, and Red Spring Wheat of the class Hard Red Spring Wheat.* (See also paragraph (h) of this section.)

Grade	Minimum test weight per bushel	Maximum limits of—					
		Damaged kernels		Foreign material	Wheats of other classes		
		Total	Heat-damaged kernels		Total	Durum and/or Red Durum	
	Pounds	Percent	Percent	Percent	Percent	Percent	
1 ¹ Heavy	60	2.0	0.1	0.5	5.0	1.0	
2 ¹	58	2.0	0.1	0.5	5.0	1.0	
3 ¹	57	4.0	0.2	1.0	5.0	2.0	
4	55	7.0	0.5	2.0	10.0	3.0	
5	53	10.0	1.0	2.0	10.0	10.0	
6	50	15.0	3.0	5.0	10.0	10.0	

Sample grade: Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 Heavy to No. 6, inclusive; or which contains more than 10.0 percent of moisture; or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of smut or garlic; or which contains a quantity of smut so great that any one or more of the grade requirements cannot be applied accurately; or which is contaminated by animal filth; or which is otherwise of distinctly low quality.

¹ Applies to each of the subclasses Dark Northern Spring, Northern Spring, and Red Spring Wheat.

² The wheat in grades No. 1 Heavy and No. 1 of this class may contain not more than 3.0 percent, in grade No. 2 not more than 5.0 percent, and in grade No. 3 not more than 8.0 percent of shrunken and broken kernels.

(d) Grades and grade requirements for the subclasses Red Winter Wheat and Western Red Wheat of the class Soft Red Winter Wheat. (See also paragraph (h) of this section.)

Grade	Minimum test weight per bushel	Maximum limits of—				
		Damaged kernels		Foreign material		Wheats of other classes
		Total	Heat-damaged kernels	Total	Percent	
1 ¹	60	Percent	Percent	Percent	Percent	Percent
2 ¹	58	2.0	0.1	0.5	0.5	0.5
3 ¹	56	4.0	0.2	1.0	1.0	1.0
4 ¹	54	7.0	0.5	2.0	2.0	2.0
5 ¹	52	10.0	1.0	3.0	3.0	3.0
		13.0	2.0	5.0	5.0	5.0

Sample grade: Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 to No. 5, inclusive; or which contains more than 16.0 percent of moisture, or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of must or garlic; or which contains a quantity of must so great that any one or more of the grade requirements cannot be applied accurately; or which is contaminated by animal filth; or which is otherwise of distinctly low quality.

¹ The wheat in grade No. 1 of this class may contain not more than 3.0 percent, in grade No. 2 not more than 5.0 percent, and in grade No. 3 not more than 8.0 percent of shrunken and broken kernels.

(e) Grades and grade requirements for the subclasses Hard White Wheat, Soft White Wheat, White Club Wheat, and Western White Wheat of the class White Wheat. (See also paragraph (h) of this section.)

Grade	Minimum test weight per bushel	Maximum limits of—				
		Damaged kernels		Foreign material		Wheats of other classes
		Total	Heat-damaged kernels	Total	Percent	
1 ¹	60	Percent	Percent	Percent	Percent	Percent
2 ¹	58	2.0	0.1	0.5	0.5	0.5
3 ¹	56	4.0	0.2	1.0	1.0	1.0
4 ¹	54	7.0	0.5	2.0	2.0	2.0
5 ¹	52	10.0	1.0	3.0	3.0	3.0
		13.0	2.0	5.0	5.0	5.0

Sample grade: Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 to No. 5, inclusive; or which contains more than 16.0 percent of moisture, or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of must or garlic; or which contains a quantity of must so great that any one or more of the grade requirements cannot be applied accurately; or which is contaminated by animal filth; or which is otherwise of distinctly low quality.

¹ The wheat in grade No. 1 of this class may contain not more than 3.0 percent, in grade No. 2 not more than 5.0 percent, and in grade No. 3 not more than 8.0 percent of shrunken and broken kernels.

(f) Grades and grade requirements for Mixed Wheat. (See also paragraph (h) of this section.) Mixed wheat shall be graded according to the numerical and Sample grade requirements of the class.

(b) Grades and grade requirements for the subclasses Hard Amber Durum Wheat, Amber Durum Wheat, and Durum Wheat of the class Durum Wheat and for the class Red Durum Wheat. (See also paragraph (h) of this section.)

Grade	Minimum test weight per bushel	Maximum limits of—				
		Damaged kernels		Foreign material		Wheats of other classes
		Total	Heat-damaged kernels	Total	Percent	
1 ¹	60	Percent	Percent	Percent	Percent	Percent
2 ¹	58	2.0	0.1	0.5	0.5	0.5
3 ¹	56	4.0	0.2	1.0	1.0	1.0
4 ¹	54	7.0	0.5	2.0	2.0	2.0
5 ¹	52	10.0	1.0	3.0	3.0	3.0
		13.0	2.0	5.0	5.0	5.0

Sample grade: Sample grade shall be wheat which does not meet requirements for any of the grades from No. 1 to No. 5, inclusive; or which contains more than 16.0 percent of moisture, or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of must or garlic; or which contains a quantity of must so great that any one or more of the grade requirements cannot be applied accurately; or which is contaminated by animal filth; or which is otherwise of distinctly low quality.

¹ Red Durum Wheat of any grade may contain not more than 10.0 percent of wheats of other classes. The wheat in grades No. 1 and No. 2 of each of these classes may contain not more than either (a) 5.0 percent of shrunken and broken kernels or (b) 8.0 percent of shrunken and broken kernels together with broken kernels of wheat of any size which remain in the sieved sample; and wheat in grade No. 3 of each of these classes may contain not more than either (a) 8.0 percent of shrunken and broken kernels or (b) 12.0 percent of shrunken and broken kernels together with broken kernels of wheat of any size which remain in the sieved sample.

(c) Grades and grade requirements for the subclasses Dark Hard Winter Wheat, Hard Winter Wheat, and Yellow Hard Winter Wheat of the class Hard Winter Wheat. (See also paragraph (h) of this section.)

Grade	Minimum test weight per bushel	Maximum limits of—				
		Damaged kernels		Foreign material		Wheats of other classes
		Total	Heat-damaged kernels	Total	Percent	
1 ¹	60	Percent	Percent	Percent	Percent	Percent
2 ¹	58	2.0	0.1	0.5	0.5	0.5
3 ¹	56	4.0	0.2	1.0	1.0	1.0
4 ¹	54	7.0	0.5	2.0	2.0	2.0
5 ¹	52	10.0	1.0	3.0	3.0	3.0
		13.0	2.0	5.0	5.0	5.0

Sample grade: Sample grade shall be wheat which does not meet the requirements for any of the grades from No. 1 to No. 5, inclusive; or which contains more than 16.0 percent of moisture, or which contains stones; or which is musty, or sour, or heating; or which has any commercially objectionable foreign odor except of must or garlic; or which contains a quantity of must so great that any one or more of the grade requirements cannot be applied accurately; or which is contaminated by animal filth; or which is otherwise of distinctly low quality.

¹ The wheat in grade No. 1 of this class may contain not more than 3.0 percent, in grade No. 2 not more than 5.0 percent, and in grade No. 3 not more than 8.0 percent of shrunken and broken kernels.

(g) *Grade designation for all classes and subclasses of wheat.* The grade designation for wheat shall include in the order named the number of the grade or the words "Sample grade," as the case may be; the word "Heavy" when applicable; the name of the applicable subclass, or in the case of Red Durum Wheat and Mixed Wheat the name of the class; the name of each applicable special grade; and when applicable the word "dockage" together with the percentage thereof. In the case of Mixed Wheat, the grade designation shall also include, following the name of the class, the name and approximate percentage of hard red spring, durum, red durum, hard red winter, soft red winter, and white wheat contained in the mixture.

(h) *Special grades, special grade requirements, and special grade designations for wheat—(1) Tough wheat—(i) Requirements.* Tough wheat shall be wheat which contains more than 13.5 percent but not more than 16.0 percent of moisture.

(ii) *Grade designation.* Tough wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not tough, and there shall be added to and made a part of the grade designation the word "Tough."

(2) *Low moisture wheat—(i) Requirements.* Low moisture wheat shall be wheat which contains not more than 10.0 percent of moisture.

(ii) *Grade designation.* Low moisture wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not low in moisture, and there shall be added to and made a part of the grade designation the words "Low Moisture."

(3) *Smutty wheat—(i) Requirements.* Smutty wheat shall be wheat which has an unmistakable odor of smut or which contains balls, portions of balls, or spores, of smut in a quantity equivalent to more than 14 balls of average size in 250 grams of wheat.

(ii) *Grade designation.* Smutty wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not smutty; and

(a) In the case of smutty wheat which has an unmistakable odor of smut or which contains smut in a quantity equivalent to more than 14 balls but not more than 25 balls in 250 grams of wheat, there shall be added to and made a part of the designation the words "Light Smutty"; and

(b) In the case of smutty wheat which contains smut in a quantity equivalent to more than 25 balls but not more than 45 balls in 250 grams of wheat, there shall be added to and made a part of the grade designation the words "Medium Smutty"; and

(c) In the case of smutty wheat which contains smut in a quantity equivalent to more than 45 balls in 250 grams of wheat, there shall be added to and made a part of the grade designation the words "Heavy Smutty."

(4) *Garlicky wheat—(i) Requirements.* Garlicky wheat shall be wheat which contains two or more green garlic

bullets, or an equivalent quantity of dry or partly dry bullets, in 1,000 grams of wheat.

(ii) *Grade designation.* Garlicky wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not garlicky; and

(a) In the case of garlicky wheat which contains two or more but not more than six green garlic bullets, or an equivalent quantity of dry or partly dry bullets, in 1,000 grams of wheat, there shall be added to and made a part of the grade designation the words "Light Garlicky"; and

(b) In the case of garlicky wheat which contains more than six green garlic bullets, or an equivalent quantity of dry or partly dry bullets, in 1,000 grams of wheat, there shall be added to and made a part of the grade designation the word "Garlicky."

(5) *Weevily wheat—(i) Requirements.* Weevily wheat shall be wheat which is infested with live weevils or other insects injurious to stored grain.

(ii) *Grade designation.* Weevily wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not weevily, and there shall be added to and made a part of the grade designation the word "Weevily."

(6) *Ergoty wheat—(i) Requirements.* Ergoty wheat shall be wheat which contains more than 0.3 percent of ergot.

(ii) *Grade designation.* Ergoty wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not ergoty, and there shall be added to and made a part of the grade designation the word "Ergoty."

(7) *Treated wheat—(i) Requirements.* Treated wheat shall be wheat which has been scoured, limed, washed, sulfured, or treated in such a manner that the true quality is not reflected by either the numerical grade or the Sample grade designation alone.

(ii) *Grade designation.* Treated wheat shall be graded and designated according to the grade requirements of the standards applicable to such wheat if it were not treated, and there shall be added to and made a part of the grade designation a statement indicating the kind of treatment.

The following alternative proposals will be given consideration:

1. *Shrunken and broken kernels.* Section 26.103 (a), (c), (d), and (e). Consideration will be given to an alternative proposal to fix the limits of shrunken and broken kernels at 5.0 percent in grades No. 1 Heavy and No. 1 for the class Hard Red Spring Wheat, and grade No. 1 for the classes Hard Red Winter Wheat, Soft Red Winter Wheat, and White Wheat.

2. *Wheats of other classes.* Section 26.103 (a) (b), (c), (d), and (e). Consideration will be given to an alternative proposal to fix limits of wheats of other classes at 3.0 percent in grades No. 1 Heavy and No. 1 for the class Hard Red Spring Wheat and in grade No. 1 for all other classes.

The United States Grain Standards Act requires that public notice be given of the modification of standards adopted under its provisions not less than 90 days in advance of the effective date of such modification. If revised standards for wheat are promulgated, they should be made effective on or about June 1, 1957.

Pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003), informal public hearings will be held at Chicago, Illinois; Kansas City, Missouri; Minneapolis, Minnesota; and Portland, Oregon; at which interested parties may submit their views and opinions orally or in writing with respect to the desirability of promulgating the suggested changes and related matters. The times and places of such hearings will be as follows:

Chicago, Illinois, beginning at 10:00 a. m. on January 7, 1957, in the Lincoln-Douglas Room of the La Salle Hotel.

Kansas City, Missouri, beginning at 10:00 a. m. on January 9, 1957, in the Georgian Room of the Hotel Continental.

Minneapolis, Minnesota, beginning at 10:00 a. m. on January 11, 1957, in Room 100 of the Minneapolis Grain Exchange.

Portland, Oregon, beginning at 10:00 a. m. on January 15, 1957, in the Marine Room of the Hotel Multnomah.

Written data, views, or arguments may also be submitted to the Director, Grain Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., to be received by him not later than January 25, 1957. Consideration will be given to all information obtained at the hearings, to written data, views, and arguments received by the Director not later than January 25, 1957, and to other information available in the United States Department of Agriculture before a decision is made as to what revisions, if any, shall be promulgated.

B. W. Whitlock, Grain Division, Agricultural Marketing Service, is hereby designated to conduct the hearings. In case this designee is unable to conduct the hearings, any other officer of the Department designated by the Director, Grain Division, Agricultural Marketing Service, is hereby authorized to conduct such hearings.

Issued this 27th day of November 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 56-9826; Filed, Nov. 30, 1956;
8:45 a. m.]

[7 CFR Part 970]

IRISH POTATOES GROWN IN MAINE

NOTICE OF PROPOSED EXPENSES AND RATE OF ASSESSMENT

Notice is hereby given that the Secretary of Agriculture is considering the approval of the expenses and rate of assessment hereinafter set forth, which were recommended by the Maine Potato Administrative Committee, established pursuant to Marketing Agreement No. 122 and Order No. 70 (7 CFR Part 970), regulating the handling of Irish potatoes grown in the State of Maine, issued

under the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.).

Consideration will be given to any data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C. not later than 15 days following publication of this notice in the *FEDERAL REGISTER*. The proposals are as follows:

§ 957.204 *Expenses and rate of assessment.* (a) The reasonable expenses that are likely to be incurred by the Maine Potato Administrative Committee, established pursuant to Marketing Agreement No. 122 and Order No. 70, to enable such committee to perform its functions pursuant to the provisions of aforesaid marketing agreement and order, during the fiscal period ending July 31, 1957, will amount to \$52,000.00.

(b) The rate of assessment to be paid by each handler, pursuant to Marketing Agreement No. 122 and Order No. 70, shall be \$1.25 per carload, or equivalent thereof, 80 cents per truckload of 25,000 pounds or more, and 50 cents per truckload of less than 25,000 pounds, of potatoes handled by him as the first handler thereof during said fiscal period.

(c) The terms used in this section shall have the same meaning as when used in Marketing Agreement No. 122 and Order No. 70.

(49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated: November 28, 1956.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 56-9886; Filed, Nov. 30, 1956;
8:49 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Parts 4b, 10, 40, 41, 42]

[Draft Release No. 56-29]

TYPE CERTIFICATION OF AIRCRAFT WITH TURBO-PROP REPLACEMENTS

NOTICE OF PROPOSED RULE MAKING

Pursuant to authority delegated by the Civil Aeronautics Board to the Bureau of Safety Regulation, notice is hereby given that the Bureau will propose to the Board a Special Civil Air Regulation which will permit a change from reciprocating engines to engines employing different principles of operation or propulsion, subject to certain conditions, without the necessity of complying with all of the requirements currently applicable to a new type certificate on the aircraft.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Civil Aeronautics Board, attention Bureau of Safety Regulation, Washington 25, D. C. In order to insure their consideration by the Board before taking further action on the proposed rule, communications must be received

by February 1, 1957. Copies of such communications will be available after February 6, 1957, for examination by interested persons at the Docket Section of the Board, Room 5412, Department of Commerce Building, Washington, D. C.

The airworthiness requirements with which a particular aircraft is required to comply are established by the date of application for the type certificate. After the type certificate is issued, the holder of the type certificate or an applicant for a supplemental certificate, at his option, can obtain approval of changes in the design either in accordance with the requirements in effect at the time of the original application for the type certificate or in accordance with later requirements in effect at the time of the change.

Prior to May 18, 1954, the regulations placed no specific limit on the extent of changes to the airplane which could be approved in this manner nor did they define a new type design for which a new application for type certification would be required. Amendment 4b-1 effective on that date, among other things, lists certain changes in design which if made to an aircraft would require it to be considered as a new type. In such a case, a new application for type certification would be required and the regulations together with all amendments thereto effective on the date of the new application would have to be complied with (§ 4b.11 (a)). One such change which would require a new type certificate is a change to engines employing different principles of operation or propulsion (§ 4b.11 (e) (2)).

Interest has been shown recently within the aviation industry in the installation of turbo-propeller engines on airplanes presently equipped with reciprocating engines. In accordance with § 4b.11 (e) (2) such a change would require a showing of compliance with the latest airworthiness requirements of Part 4b. It has been contended that in the case of airplanes originally certificated some time ago, showing of compliance with all of the latest requirements might be burdensome, impractical, and not essential to safety. It is also contended that modifications to an airplane consisting only of a change from reciprocating to turbo-propeller engines should not necessarily require showing of compliance with all the latest effective provisions of Part 4b, especially with respect to provisions wholly unrelated to this change.

In order to encourage the modernization of transport category airplanes, it is being proposed herein that in certifying a turbo-propeller-powered airplane which previously was type certificated with the same number of reciprocating engines, it shall be acceptable to show compliance with the provisions of Part 4b in effect on the date of the application for the original type certificate, and certain later provisions of the Civil Air Regulations in effect on the date of application for a supplemental or new type certificate which are applicable or related to the powerplant of the turbo-propeller-powered version. Such provisions shall be complied with in addition

to or in lieu of the provisions which were in effect in Part 4b on the date of the original application for type certification for the reciprocating-engine-powered airplane. In general, the latter provisions with which compliance would have to be shown would consist of those applicable to the powerplant installation, airplane performance, and cockpit standardization and, such other requirements as the Administrator might find are otherwise related to the change in engines and are necessary to assure that the level of safety of the turbine-powered airplane is equivalent to that generally intended by Part 4b.

With respect to the powerplant provisions and the additional provisions subject to the Administrator's further consideration, this proposal would make applicable the currently effective provisions of Part 4b, including an amendment to Part 4b which the Board may adopt as a result of the 1956 Airworthiness Review. With respect to the performance requirements, this proposal would require compliance with those requirements which the Board may adopt as a result of the performance proposal for turbine-powered airplanes of current design, which is contained in Civil Air Regulations Draft Release No. 56-20.

In addition, since a change in engines would require a rather extensive change in the cockpit to accommodate the new instruments and controls for turbine engines, it is considered that compliance with the latest cockpit standardization requirements could be accomplished without any undue burden. Therefore, it is proposed to make the latest cockpit standardization requirements applicable, with the exception of such detailed requirements the compliance with which the Administrator finds is impracticable or does not contribute materially to standardization.

If other changes to the airplane are made simultaneously with or subsequent to such an engine change, then compliance would also have to be shown with all requirements related to the additional changes in effect on the date of the new application for a supplemental or type certificate. In this regard, if an airplane converted to turbo-propeller power is to be certificated for operation at altitudes, speeds, or weights higher than those which are applicable to the reciprocating-engine-powered airplane, compliance would be required with all of the latest provisions of the regulations which are related to such changes.

In order to assure that all airplanes converted to turbo-propeller power will meet the minimum requirements considered essential to safety, this proposed regulation will be retroactive and will require compliance with the provisions of the Civil Air Regulations set forth herein for all such airplanes for which application for a supplemental or new type certificate is made prior to the effective date of this proposed regulation.

Except as applied to the change from reciprocating to turbine propeller engines, this proposal is not intended to alter the provisions of § 4b.11 in any respect.

It is proposed that this Special Civil Air Regulation terminate 5 years after its adoption, and that its substantive effect be incorporated into Part 4b of the Civil Air Regulations as experience indicates is appropriate.

In view of the foregoing, notice is hereby given that it is proposed to recommend to the Board the adoption of a Special Civil Air Regulation to read substantially as follows:

Contrary provisions of § 4b.11 (a) as it applies to § 4b.11 (e) (2) of Part 4b of the Civil Air Regulations notwithstanding, the following provisions shall be applicable to the certification of a turbo-propeller-powered airplane which was previously type certificated with the same number of reciprocating engines:

1. The provisions of Part 4b in effect on the date of application for the original type certificate issued for the airplane as equipped with reciprocating engines and, in addition

thereto or in lieu thereof, the following provisions of the Civil Air Regulations effective on the date of application for a supplemental or a new type certificate (see paragraph 2):

(a) The performance requirements applicable to turbine-powered airplanes;

(b) The powerplant installation requirements of Part 4b applicable to the turbo-propeller-powered airplane;

(c) The requirements of Part 4b for the standardization of cockpit controls and instruments except where the Administrator finds that showing of compliance with a particular detailed requirement would be impracticable and would not contribute materially to standardization; and

(d) Such other requirements of Part 4b applicable to the turbo-propeller powered airplane as the Administrator finds are related to the change in engines and are necessary to assure that the level of safety of turbo-propeller airplanes is equivalent to that generally intended by Part 4b.

2. Airplanes converted to turbo-propeller power, for which application for a supplemental or a new type certificate is made prior to the effective date of this Special Civil Air Regulation, shall comply with all of the provisions of the Civil Air Regulations incorporated herein effective on the date of this special regulation, rather than those provisions of the regulations effective on the date application was made for the supplemental or the new type certificate.

(Sec. 205 (a), 52 Stat. 984; 49 U. S. C. 425 (a). Interpret or apply secs. 601-610, 52 Stat. 1007-1012, as amended, 49 U. S. C. 551-560)

Dated at Washington, D. C., November 23, 1956.

By the Bureau of Safety Regulation.

[SEAL] JOHN M. CHAMBERLAIN,
Director.

[F. R. Doc. 56-9874; Filed, Nov. 30, 1956; 8:51 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

United States Coast Guard

[CGFR 56-49]

TERMINATION OF CERTAIN APPROVALS OF EMBARKATION-DEBARKATION LADDERS

The regulations and specifications for embarkation-debarkation ladders (flexible) for merchant vessels were considered as Item X of the Agenda at a public hearing held by the Merchant Marine Council on April 24, 1956, in Washington, D. C. The revised regulations regarding embarkation-debarkation ladders were published in the *FEDERAL REGISTER* dated September 6, 1956 (21 F. R. 6708-6713), and become effective December 5, 1956. The major changes provided in these regulations are:

(1) Permit the optional use of both chain and manila rope ladders as pilot ladders.

(2) After January 1, 1957, the use of wire rope ladders as pilot ladders is prohibited.

(3) With respect to flexible ladders at lifeboat stations, such ladders are to be only chain ladders, but existing approved ladders on board passenger and cargo vessels may be continued in use so long as they are maintained in good condition.

(4) In the specification regulations for embarkation-debarkation ladders, the provisions with respect to aluminum alloy spacer ears were removed.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Order No. 120, dated July 31, 1950 (15 F. R. 6521), and Treasury Department Order 167-14, dated November 26, 1954 (19 F. R. 8026), and in compliance with the authorities cited below, certain approvals of embarkation-debarkation ladders described below are terminated effective December 5, 1956, because these ladders do not comply with the revised Coast Guard requirements. Any of the ladders manufactured prior to December 5, 1956,

may be continued in service so long as such equipment is in good and serviceable condition, except that wire rope suspension ladders (Approval Nos. 160.017/8/0, 160.017/9/0, and 160.017/12/0) may not be continued in service for pilots' use after January 1, 1957.

Termination of Approval No. 160.017/5/2, Type 241-B embarkation-debarkation ladder, chain suspension, aluminum ears, dwg. No. 241-B dated Feb. 21, 1950, revised Dec. 9, 1953, manufactured by Great Bend Manufacturing Corp., George Washington Bridge Plaza, Fort Lee, N. J.

Termination of Approval No. 160.017/8/0, Viking, Type B-3 embarkation-debarkation ladder, wire rope suspension, wood ears, dwg. No. 561-S1604-31, revised Nov. 14, 1949, manufactured by Viking Marine Co., 2614 Western Ave., Seattle 1, Wash.

Termination of Approval No. 160.017/9/0, Master, Model 100, embarkation-debarkation ladder, wire rope suspension, steel ears, dwg. No. E-1003, dated July 16, 1952, manufactured by The Marine Ladder Manufacturing Co., P. O. Box 2192, San Francisco, Calif.

Termination of Approval No. 160.017/12/0, Model CTL-6/WR embarkation-debarkation ladder, wire rope suspension, steel ears, steel rungs, dwg. No. CTL-6/WR dated Jan. 28, 1952, manufactured by Great Bend Manufacturing Corp., George Washington Bridge Plaza, Fort Lee, N. J.

Termination of Approval No. 160.017/15/0, Type 10 PL-A embarkation-debarkation ladder, chain suspension, aluminum ears, dwg. dated Feb. 18, 1953, rev. 2, dated Sept. 23, 1954, manufactured by H. K. Metal Craft Mfg. Co., 3775-3789 10th Ave. at 203d St., New York 34, N. Y.

Termination of Approval No. 160.017/18/2, Fig. 017-A. C. embarkation-debarkation ladder, chain suspension, aluminum ears, dwg. No. 017-1, rev. G-2, dated Jan. 21, 1954, manufactured by Alain Marine Sales Co., 2122 Kentucky St., New Orleans, La.

(R. S. 4405, as amended, and 4462, as amended, 46 U. S. C. 375, 416. Interpret or apply R. S. 4417a, as amended, 4426, as amended, 4488, as amended, 4491, as amended, secs. 1 and 2, 49 Stat. 1544, as amended, and sec. 3, 54 Stat. 346, as amended, sec. 3 (c), 68 Stat. 676; 46 U. S. C. 391a, 404, 481, 489, 367, 1333, 50 U. S. C. 198; E. O. 10402, 17 F. R. 9917, 3 CFR, 1952 Supp.; 46 CFR 160.017)

Dated: November 16, 1956.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 56-9850; Filed, Nov. 30, 1956; 8:47 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

HANSEATISCHE REEDEREI EMIL OFFEN & Co. AND VAASAN LAIVA OY

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 8178, between Hanseatische Reederei Emil Offen & Co., a German company, and Vaasan Laiva Oy, a Finnish company, is a new joint service agreement of the parties covering operation under the trade name "Hanseatic-Vaasa-Line," in the trade from Pacific Coast ports of the United States to Europe. This agreement, upon approval, will supersede and cancel present joint service Agreement No. 8062, between the same parties in the same trade.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the *FEDERAL REGISTER*, written statements with reference to the

agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 28, 1956.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 56-9871; Filed, Nov. 30, 1956;
8:50 a. m.]

MEMBER LINES OF FAR EAST CONFERENCE ET AL.

NOTICE OF AGREEMENT FILED WITH THE BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 17-20-2, between the member lines of the Far East Conference modifies membership agreement of Fern-Ville Far East Lines joint service with that conference (Agreement No. 17-20, as amended) to include Aktieselskabet Standard and Fearnley & Egers Befragtningsforretning in the joint service membership of the conference.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: November 28, 1956.

By order of the Federal Maritime Board.

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 56-9872; Filed, Nov. 30, 1956;
8:51 a. m.]

[Docket No. M-72]

ISBRANDTSEN CO., INC., ET AL.

NOTICE OF HEARING ON APPLICATION TO BAREBOAT CHARTER DRY-CARGO VESSELS

Notice is hereby given that a public hearing will be held before an Examiner pursuant to section 5 (e) of the Merchant Ship Sales Act of 1946, as amended (Public Law 591, 81st Congress) (50 U. S. C. App. 1738), on December 10, 1956, at 9:30 a. m., in Room 4519, New General Accounting Office Building, Fifth and G Streets NW., Washington, D. C., upon the applications of Isbrandtsen Company, Inc., and others, to bareboat charter dry-cargo vessels owned by the Government for use in world-wide bulk commodity trade, principally for the carriage of coal to foreign ports, and also for the carriage of such cargoes as shall from time to time be available. All applications to charter vessels for such purpose which are re-

ceived before the close of business on December 7, 1956 will be considered in this proceeding.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence will be received with respect to any restrictions or conditions that may be necessary or appropriate to protect the public interest in respect of such charter as may be granted and to protect privately owned vessels against competition from vessels chartered as a result of this proceeding.

All persons having an interest in the application will be given an opportunity to be heard if present, and oral argument may be had before the Examiner at the conclusion of the receipt of evidence, in lieu of briefs. An initial decision will be issued. The time for filing exceptions thereto is hereby restricted to seven (7) days, and no replies to exceptions will be received.

Dated: November 29, 1956.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F. R. Doc. 56-9922; Filed, Nov. 30, 1956;
9:21 a. m.]

[Docket No. M-69 (Sub. No. 3)]

AMERICAN EXPORT LINES, INC., ET AL.

NOTICE OF FURTHER HEARING ON APPLICATION TO BAREBOAT CHARTER DRY-CARGO VESSELS

Notice is hereby given that this proceeding has been reopened, and that a further public hearing will be held pursuant to section 5 (e) of the Merchant Ship Sales Act, 1946, as amended (Public Law 591, 81st Cong.) (50 U. S. C. App. 1738), on December 6, 1956, at 9:30 a. m., in Room 4519, New General Accounting Office Building, Fifth and G Streets NW., Washington, D. C., upon the application of American Export Lines, Inc., and others, to bareboat charter vessels owned by the Government for the carriage of Government-sponsored bulk cargoes and other approved bulk cargoes. All applications to charter such vessels for such purpose which are received before the close of business on December 5, 1956, will be considered in this proceeding.

The purpose of the hearing is to receive evidence with respect to whether the service for which such vessels are proposed to be chartered is required in the public interest and is not adequately served, and with respect to the availability of privately owned American flag vessels for charter on reasonable conditions and at reasonable rates for use in such service. Evidence will be received with respect to any restrictions or conditions that may be necessary or appropriate to protect the public interest in

respect of such charters as may be granted and to protect privately owned vessels against competition from vessels chartered as a result of this proceeding.

All person having an interest in the application will be given an opportunity to be heard if present.

Dated: November 29, 1956.

By order of the Federal Maritime Board.

[SEAL] JAMES L. PIMPER,
Secretary.

[F. R. Doc. 56-9923; Filed, Nov. 30, 1956;
9:21 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11722; FCC 56M-1082]

HUNTINGTON-MONTAUK BROADCASTING CO., INC. (WGSM)

ORDER SCHEDULING HEARING

In re application of Huntington-Montauk Broadcasting Company, Inc. (WGSM), Deer Park, Long Island, New York; Docket No. 11722, File No. BP-9436; for construction permit.

It is ordered, This 26th day of November 1956, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which was directed by the Commission in its order entered November 20, 1956, the said hearing to commence January 25, 1957, in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-9863; Filed, Nov. 30, 1956;
8:49 a. m.]

[Docket No. 11723; FCC 56M-1084]

WINSLOW TURNER PORTER

ORDER SCHEDULING HEARING

In re application of Winslow Turner Porter, Bath, Maine; Docket No. 11723, File No. BP-9730; for construction permit.

It is ordered, This 26th day of November 1956, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which was directed by the Commission in its order entered November 20, 1956, the said hearing to commence January 23, 1957, in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-9864; Filed, Nov. 30, 1956;
8:49 a. m.]

[Docket No. 11827; FCC 56M-1083]

PRAIRIE BROADCASTING CO. (WPBE)

ORDER CONTINUING HEARING

In re application of Prairie Broadcasting Company (WPBE), Prairie du Chien,

Wisconsin; Docket No. 11827, File No. BP-10155; for construction permit.

Pursuant to "Notice of Desire to Withdraw" filed on November 23, 1956, by counsel for protestant in the above-entitled proceeding, which now is awaiting Commission action: *It is ordered*, This 26th day of November 1956, that the hearing in this proceeding now scheduled for November 26, 1956, be, and the same is hereby, continued without date.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[P. R. Doc. 56-9865; Filed, Nov. 30, 1956;
8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-11138]

TEXAS GAS TRANSMISSION CORP. AND
SOUTHERN NATURAL GAS CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

NOVEMBER 27, 1956.

Take notice that on September 25, 1956, Texas Gas Transmission Corporation (Texas Gas), a Delaware corporation, having its principal place of business at 416 West Third Street, Owensboro, Kentucky, and Southern Natural Gas Company (Southern), a Delaware corporation, having its principal place of business at the Watts Building, Birmingham, Alabama, filed a joint application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity to each Applicant authorizing the construction, installation and operation of certain natural gas facilities, as hereinafter described, and the emergency exchange of gas, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

In order to enable Southern to deliver to Texas Gas, the following facilities are proposed: Southern will construct and operate a meter and regulator station and appurtenant facilities at the intersection of Texas Gas' 18-inch pipeline system and Southern's pipeline at a point near Perryville, Morehouse Parish, Louisiana.

Texas Gas will construct and operate at the same point a tie-in to Southern's meter station and a tap on its pipeline.

In order to enable Texas Gas to deliver to Southern, the following facilities, which are already in place, will be utilized, maintained and operated:

Texas Gas' meter and regulator station and appurtenant facilities located at the intersection of Texas Gas' 26-inch pipeline system and Southern's pipeline at a point in Morehouse parish, near Perryville, Louisiana.

Southern's tie-in to Texas Gas' meter station at the same point and a tap on its own line.

It is estimated that the facilities which Southern proposes to construct will cost approximately \$6,700. Texas Gas' tie-in facilities will cost approximately \$1,200.

Both will be financed by the respective companies from cash on hand.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on December 17, 1956, at 9:30 a. m., e. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by this joint application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will not be necessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 12, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,
Secretary.

[P. R. Doc. 56-9852; Filed, Nov. 30, 1956;
8:48 a. m.]

[Docket No. IT-5971, etc.]

DEPARTMENT OF THE INTERIOR AND SOUTH-
WESTERN POWER ADMINISTRATION

NOTICE OF REQUEST FOR APPROVAL OF RATES
AND CHARGES

NOVEMBER 27, 1956.

In the matter of United States Department of the Interior, Southwestern Power Administration; Docket Nos. IT-5971 — IT-6056 — E-6337 — E-6340 — E-6407.

Notice is hereby given that the United States Department of the Interior, on behalf of the Southwestern Power Administration, has filed with the Federal Power Commission for confirmation and approval for a period of five years, pursuant to the provisions of the Flood Control Act of 1944 (58 Stat. 881), the schedules of rates and charges for the sale of electric energy sold by Southwestern Power Administration, which are as follows:

Rate Schedule F-1; wholesale firm power service. This schedule of rates for wholesale firm power service is available in the area served by Southwestern Power Administration (Government), and applicable to wholesale power customers who, by contract, purchase firm power service.

Amount of energy with firm power service. Energy associated with firm power service will be made available in such amounts as the customer may require, except that when such customer utilizes an auxiliary source of power supply in conjunction with service purchased from the Government, the Government may limit the amount of energy furnished so that the total obligation of the Government to provide service during each billing period is proportionate to the contract demand as related to the customer's system annual maximum power requirement, and such obligation of the Government shall generally parallel the normal load factor and load patterns of such customer's system load. The procedures for metering and determining the amount of power and energy delivered shall be established in a written operating agreement.

Character and condition of service. Alternating current, approximately sixty cycles per second, single or three phase. Power and energy will be delivered at such point or points of delivery and at such voltage or voltages as are specified by contract.

Monthly rates.

Demand charge: \$1.60 per kilowatt of billing demand.

Energy charge: \$0.002 per kilowatt-hour for the first 150 kilowatt-hours per kilowatt of billing demand. \$0.003 per kilowatt-hour for the next 290 kilowatt-hours per kilowatt of billing demand. \$0.005 per kilowatt-hour for energy in excess of the first 440 kilowatt-hours per kilowatt of billing demand.

Adjustments for conditions of service.

(a) A discount of \$0.10 per kilowatt of billing demand per month will be allowed on the total monthly charge for firm power service if delivery of power and energy is made from the 69 kv, 138 kv, or 161 kv transmission facilities owned or leased by the Government, and if transformation and sub-station facilities are required at the point of delivery and are furnished by the power customer at no cost to the Government.

(b) A discount of \$0.40 per kilowatt of billing demand per month will be allowed on the total monthly charge for firm power service if delivery of power and energy is made from, and at the voltage of, the 138 kv or the 161 kv transmission facilities owned or leased by the Government, or at low or intermediate voltages from sub-stations directly connected to such transmission facilities, and if the Government is thereby relieved of additional transmission costs.

Minimum bill. \$1.60 per month per kilowatt of contract demand less applicable discounts for conditions of service.

Contract demand. The contract demand will be the maximum rate in kilowatts which the Government is, by contract, obligated to deliver energy to the customer.

Billing demand. The billing demand for any month will be, as specified by contract, either (i) the contract demand of the highest thirty-minute integrated demand recorded during such month, whichever is the greater, or (ii) the contract demand or the highest scheduled demand during such month, whichever is the greater.

Adjustment for billing demand—For reduction in demand. In the event of one or more reductions in customer's demand during any billing period, each of which continues for two hours or more, due to the inability of the Government to supply the contract demand, the billing demand for such period shall be reduced for each such reduction in demand by an amount equal to the reduction in demand (in kilowatts) times the ratio that the number of hours of each such reduction bears to the total number of hours in such billing period.

For power factor. None. The customer normally will be required to maintain a power factor at the point of delivery of not less than ninety percent (90%) lagging.

Rate Schedule P-1; wholesale peaking power service. This schedule of rates for wholesale peaking power service is available in the area served by Southwestern Power Administration and applicable to wholesale power customers who, by contract, purchase peaking power service.

Amount of energy with peaking power service. Energy associated with peaking power service will be made available in the amount of 1,800 kilowatt-hours per kilowatt of contract demand during each fiscal year which shall be the twelve-month period beginning on July 1 of each year, except that such additional amount of energy as the Government determines is available, but not to exceed a total of 2,400 kilowatt-hours per kilowatt of contract demand per fiscal year, will be made available, to customers which can demonstrate a need for such additional energy.

Character and condition of service. Peaking power service will be delivered as three-phase alternating current, at approximately sixty cycles per second, at such point or points of delivery and at such voltages as are specified by contract.

Monthly rates.

Demand charge: \$1.60 per kilowatt of billing demand.

Energy charge: \$0.002 per kilowatt-hour for the first 150 kilowatt-hours per kilowatt of billing demand. \$0.003 per kilowatt-hour for the next 50 kilowatt-hours per kilowatt of billing demand.

Such energy charges shall be applied so that notwithstanding monthly variations in the delivery of energy permitted by contract, the energy charge shall be \$0.002 per kilowatt-hour for the first 1,800 kilowatt-hours per kilowatt of contract demand per fiscal year, and \$0.003 per kilowatt-hour for energy in excess of 1,800 kilowatt-hours per kilowatt of contract demand per fiscal year.

Discounts for conditions of service.

(a) A discount of \$0.10 per kilowatt of billing demand per month will be allowed on the total monthly charge for peaking power service if delivery of power and energy is made from the 69 kv, 138 kv, or 161 kv transmission facilities owned or leased by the Government, and if transmission and sub-station facilities are required at the point of delivery and are furnished by the power customer at no cost to the Government.

(b) A discount of \$0.40 per kilowatt of billing demand per month will be allowed on the total monthly charge for peaking power service if delivery of power and en-

ergy is made from, and at the voltage of, the 138 kv or the 161 kv transmission facilities owned or leased by the Government, or at lower or intermediate voltages from sub-stations directly connected to such transmission facilities, and if the Government is thereby relieved of additional transmission costs.

Minimum bill. \$1.60 per month per kilowatt of contract demand less applicable discounts for conditions of service.

Contract demand. The contract demand will be the maximum rate in kilowatts which the Government is, by contract, obligated to deliver energy to the customer.

Billing demand. The billing demand for any month will be, as specified by contract, either (1) the contract demand or the highest thirty-minute integrated demand recorded during such month, whichever is the greater, or (2) the contract demand or the highest scheduled demand during such month, whichever is the greater.

Adjustment for billing demand—For reduction in demand. In the event of one or more reductions in customer's demand during any billing period, each of which continues for two hours or more, due to the inability of the Government to supply the contract demand, the billing demand for such period shall be reduced for each such reduction in demand by an amount equal to the reduction in demand (in kilowatts) times the ratio that the number of hours of each such reduction bears to the total number of hours in such billing period.

For power factor. None. The customer normally will be required to maintain a power factor at the point of delivery of not less than ninety percent (90%) lagging.

Rate Schedule "IC"; wholesale power service (interruptible capacity). This schedule of rates is available in the service area of Southwestern Power Administration, at such times and in such amounts as Southwestern in its sole judgment determines is available, and is applicable to wholesale power customers for (interruptible capacity) power service delivered under appropriate contracts.

Character and conditions of service. Alternating current, approximately sixty cycles, three phase, Interruptible Capacity will be delivered at such point or points of delivery and at such voltage or voltages as specified in appropriate contracts.

Demand charge. \$0.045 per kilowatt per day.

Rate Schedule "EE"; wholesale power service (excess energy). This schedule of rates is available in the service area of Southwestern Power Administration, at such times and in such amounts as Southwestern in its sole judgment determines is available and applicable to wholesale power customers for (Excess Energy) power service delivered under appropriate contracts.

Character and conditions of service. Alternating current, approximately sixty cycles, three phase. Energy will be delivered at such point or points of delivery and at such voltage or voltages as specified in appropriate contracts.

Energy charge. \$0.0015 per kilowatt-hour.

All of the above rate schedules are to become effective upon confirmation and approval by the Federal Power Commission.

It is requested that Rate Schedules "A-Revised", "P. S.", "E. C.", "S. E.", and "E. E.", submitted on December 29, 1954, Rate Schedule "P. S." submitted on March 11, 1955, and Rate Schedule "S. E.", submitted April 6, 1955, be withdrawn from consideration by the Commission in lieu of the Rate Schedules described above.

In addition, an extension is requested of the confirmation and approval by the Commission for an interim period not to exceed one year, of the rates and compensations contained in the following electric service agreements:

1. Agreement for the Sale and/or Exchange of Electric Power and Energy between the United States of America and the Texas Power & Light Company, dated April 4, 1947, designated as Contract ISPA-177.

Rates and compensations contained in this Agreement were originally confirmed and approved by the Commission on July 7, 1947, Docket IT-6056.

2. Agreement for the Sale and Exchange of Electric Power and Energy between the United States of America and the Southwestern Gas and Electric Company, dated December 27, 1950, designated as Contract Kspa-396.

Rates and compensations contained in this Agreement were originally confirmed and approved by the Commission on February 14, 1951, Docket E-6304.

3. Agreement for the Sale and Exchange of Electric Power and Energy between the United States of America, Public Service Company of Oklahoma, Oklahoma Gas and Electric Company, dated July 10, 1950, designated as Contract ISpa-356.

Rates and compensations contained in this Agreement were originally confirmed and approved by the Commission on February 7, 1951, Docket E-6337.

It is requested and recommended that the Commission (1) confirm and approve for the periods specified the rates and compensations contained in the listed Rate Schedules and electric service agreements, including the applicability of Rate Schedule "P-1" to further peaking power service to the Arkansas Power and Light Company in lieu of the rates specified in the contract of January 29, 1952, and (2) determine that the rates specified in the Arkansas Power and Light Company-Reynolds Metals Company contract are no longer effective and applicable.

Any person desiring to make comments or suggestions for Commission consideration with respect to the foregoing, should submit the same in writing on or before December 17, 1956, to the Federal Power Commission, Washington 25, D. C. The proposed rates in their entirety are on file with the Commission and available for inspection.

[SEAL]

LEON M. FUQUAY,
Secretary.

[P. R. Doc. 56-9853; Filed, Nov. 30, 1956;
8:48 a. m.]

SECURITIES AND EXCHANGE
COMMISSION

[File No. 1-3230]

GOODALL-SANFORD, INC.

NOTICE OF APPLICATION TO STRIKE FROM
LISTING AND REGISTRATION, AND OF OPPOR-
TUNITY FOR HEARING

NOVEMBER 26, 1956.

New York Stock Exchange has made application, pursuant to section 12 (d) of the Securities Exchange Act of 1934 and Rule X-12D2-1 (b) promulgated thereunder, to strike the above named security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following:

The issuer, by letter dated October 4, 1956, notified the applicant Exchange that there were less than 250 holders of the common stock. Burlington Industries, Inc. was stated to hold 595,047 of the 605,718 outstanding shares, 5 shares were held by directors, 13 shares were Treasury stock, and the remaining 10,653 shares were held by only 241 stockholders. Dealings on the applicant Exchange were suspended before the opening of the trading session November 5, 1956.

Upon receipt of a request, on or before December 12, 1956, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 56-9840; Filed, Nov. 30, 1956;
8:46 a. m.]

[File No. 7-1834]

BESTWALL GYPSUM CO.

NOTICE OF APPLICATION FOR UNLISTED
TRADING PRIVILEGES, AND OF OPPORTU-
NITY FOR HEARING

NOVEMBER 26, 1956.

In the matter of application by the Los Angeles Stock Exchange for unlisted trading privileges in Bestwall Gypsum Company, Common Stock, File No. 7-1834.

The above named stock exchange, pursuant to section 12 (f) (2) of the Secu-

rities Exchange Act of 1934 and Rule X-12F-1 promulgated thereunder, has made application for unlisted trading privileges in the specified security, which is listed and registered on the New York Stock Exchange.

Upon receipt of a request, on or before December 11, 1956, from any interested person, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D. C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official file of the Commission pertaining to the matter.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 56-9839; Filed, Nov. 30, 1956;
8:46 a. m.]

[File No. 24NY-3832]

LORING PHARMACAL CO., INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION,
STATEMENT OF REASONS THEREFOR,
AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 27, 1956.

I. Loring Pharmacal Company, Inc., a New York Corporation of 220 Fifth Avenue and 747 Madison Avenue, New York City, N. Y., filed with the Commission on October 25, 1954, a Notification on Form 1-A and an offering circular, and subsequently filed amendments thereto, relating to a proposed offering of 150,000 shares of its 10 cents par value Common Stock at \$2.00 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A promulgated thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with in that the company has failed to file Form 2-A reports of sales of securities as required by Rule 224 of Regulation A, and has ignored requests made for the filing of such reports.

III. It is ordered, Therefore, pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place

to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 56-9841; Filed, Nov. 30, 1956;
8:46 a. m.]

[File No. 24SF-1984]

OKONA URANIUM CORP.

ORDER TEMPORARILY SUSPENDING EXEMPTION,
STATEMENT OF REASONS THEREFOR,
AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 27, 1956.

I. Okona Uranium Corp., a Nevada corporation, 710 South Fourth Street, Las Vegas, Nevada, and P. O. Box 1241, Globe, Arizona, filed with the Commission on October 25, 1954, a Notification and Offering Circular relating to a proposed offering of 300,000 shares of its \$1.00 par value Common Stock at \$1.00 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A thereunder. Sequoyah Securities Company, 1029 North Walker Street, Oklahoma City, Oklahoma, was named as underwriter for this offering.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject corporation in that it has failed to file any 2-A reports of sales as required by Rule 224 under Regulation A and has ignored requests by the Commission's staff for such reports.

III. It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.[F. R. Doc. 56-9842; Filed, Nov. 30, 1956;
8:46 a. m.]

[File No. 24 NY-3848]

BERNARD ROSEN AND JULIAN BERCOVICI

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

NOVEMBER 27, 1956.

In the matter of Bernard Rosen and Julian Bercovici as "One More Chance Company", File No. 24 NY-3848.

Bernard Rosen and Julian Bercovici as general partners in a proposed limited partnership to be formed under New York law and called "One More Chance Company", to produce a theatrical venture with principal offices to be located in New York, N. Y., having filed with the Commission on November 12, 1954, a Notification on Form 1-A and offering circular, relating to a proposed offering of preformation limited partnership interests agreements not to exceed \$175,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A, promulgated thereunder; and

The Commission having been advised that the terms and conditions of said Regulation A have not been complied with in that the issuers have failed to file Form 2-A reports of sales, as required by Rule 224 of Regulation A, and have ignored requests by the Commission's staff for such reports;

It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.[F. R. Doc. 56-9843; Filed, Nov. 30, 1956;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[Ex Parte 206]

EASTERN AND WESTERN TERRITORIES

INCREASED FREIGHT RATES, 1956

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 26th day of November A. D. 1956.

It appearing that in this proceeding, on November 7, 1956, the Commission

entered an order setting for hearing at Kansas City, Mo., beginning on November 26, 1956, a motion filed by certain railroads for an interim 7 percent increase in freight rates, with certain exceptions, from, to, via, and within eastern and western territories;

And it further appearing that in this proceeding the Commission entered an order on November 15, 1956, as amended on November 23, 1956, setting for hearing at Washington, D. C., beginning on January 7, 1957, a petition of certain railroads operating in the southern region for authority to increase their freight rates and charges from, to, via, and between all points on their lines in the amount of 7 percent, with certain exceptions;

Upon consideration of requests for clarification as to whether the evidence adduced at the hearing in Kansas City beginning on November 26, 1956, shall constitute a part of the record in connection with the petition of the Southern Railroads set for hearing on January 7, 1957; and good cause appearing therefor:

It is ordered, That the first ordering paragraph of the Commission's order of November 15, 1956, be, and it is hereby, amended to read as follows:

"It is ordered, That the said petition be set for hearing at the office of the Commission in Washington, D. C., beginning at 10:00 o'clock a. m., United States standard time, on January 7, 1957, before Division 2. Evidence in support of said petition will be limited to the verified statements referred to in the preceding paragraph, except that evidence adduced at the hearing beginning on November 26, 1956, at Kansas City, Mo., on the motion of the eastern and western railroads for an emergency increase in freight rates shall constitute a part of the record on this petition. If cross-examination of a witness is desired at the hearing beginning on January 7, 1957, request therefor must reach such person or his attorney on or before December 31, 1956. The Commission should be notified promptly of such request for cross-examination."

And it is further ordered, That a copy of this order be served on all parties to this proceeding, and that a notice of this proceeding be given to the public by posting a copy of this order in the Office of the Secretary of the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.[F. R. Doc. 56-9795; Filed, Nov. 29, 1956;
8:47 a. m.]

[Ex Parte 207]

WESTERN TERRITORY

INCREASED FARES, 1956

At a general session of the Interstate Commerce Commission, held at its office

in Washington, D. C., on the 26th day of November A. D. 1956.

It appearing that on November 21, 1956, a petition was filed by agents and attorneys for and on behalf of certain western railroads described in the petition for authority to depart from the Commission's tariff-publishing rules to the extent necessary to enable them to publish tariffs containing a general increase of five percent in passenger fares and charges within western territory as set forth in the petition, and for modification of all outstanding orders of the Commission to the extent necessary to permit only the publication of the aforesaid tariffs;

It further appearing that on November 26, 1956, special permission order No. 70982 was issued to permit the filing of tariffs containing the proposed increase in fares and charges, which tariffs will be subject to protest, suspension, or rejection;

It further appearing that the petitioners will file simultaneously with the publication of the said tariffs verified statements in justification of said fares, and that a copy of said petition and verified statements will be furnished to any interested party upon request addressed to Mr. Roland J. Lehman, Room 1211, 80 East Jackson Blvd., Chicago 4, Ill.;

And it further appearing that the above petitioners request that the following outstanding orders be further amended to the extent necessary to permit the proposed fares and charges to be established: No. 11775, Arkansas Rates and Fares, 59 I. C. C. 471; No. 11761, Iowa Passenger Fares and Charges, 60 I. C. C. 55; No. 11762, Michigan Passenger Fares, 60 I. C. C. 245; No. 11776, Minnesota Fares and Charges, 59 I. C. C. 502; No. 11860, Montana Rates and Fares, 60 I. C. C. 61; No. 11829, Nebraska Rates, Fares, and Charges, 60 I. C. C. 305; No. 28846, Increases in Texas Rates, Fares, and Charges, 253 I. C. C. 723; No. 26550, Passenger Fares and Surcharges as amended in Ex Parte No. 202, Increased Fares, Eastern and Western Railroads, 1956, 298 I. C. C. 378; No. 12085, North Dakota Rates, Fares, and Charges, 61 I. C. C. 504, as amended.

Upon consideration of the above-described petition, and good cause appearing therefor:

It is ordered, That protests to the entry of an order further modifying the Commission's orders in Nos. 11775, 11761, 11762, 11776, 11860, 11829, 12085, 28846, 26550, and Ex Parte No. 202 may be filed with the Commission on or before December 28, 1956. Protest should specify the particular order objected to, and the reason therefor, and a copy should be furnished to Mr. Roland J. Lehman, Room 1211, 80 East Jackson Boulevard, Chicago 4, Ill.

It is further ordered, That a copy of this order be served upon the petitioning railroads, upon the parties in Ex Parte No. 202 and upon the Governor of each of the States of Arkansas, Iowa, Michigan, Minnesota, Montana, Nebraska, North Dakota and Texas; and that notice of this proceeding be given to the public by posting a copy of this order in the Office of the Secretary of

the Commission at Washington, D. C., and by filing a copy with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[P. R. Doc. 56-9796; Filed, Nov. 29, 1956;
8:47 a. m.]

[Special Permission 70982]

[Ex Parte 207]

CERTAIN RAIL CARRIERS

AUTHORIZATION TO DEPART FROM TARIFF-PUBLISHING RULES

At a General Session of the Interstate Commerce Commission held in its office in Washington, D. C., this 26th day of November 1956.

Upon consideration of a petition filed November 21, 1956, filed by H. B. Siddall, Alternate Agent, and A. H. Ritter, Agent, for and on behalf of certain rail carriers, which among other things requests authority to depart from the Commission's tariff-publishing rules to the extent necessary to enable them to publish and file a general increase of five percent in passenger fares and charges, except that round-trip, first-class, station-to-station fares are to be increased from 166 2/3 of the current one-way first-class fares to 180 percent of the proposed one-way first-class fares, for application generally within western territory and on the lines of the petitioning carriers outside that territory, as set forth in the petition, and for modification of all outstanding orders of the Commission to the extent necessary to permit the filing of the aforesaid increases in fares and charges;

For good cause shown: It is ordered:

1. Carriers for and on whose behalf the above-mentioned petition was filed, and their tariff-publishing agents, are hereby authorized to depart from the Commission's tariff-publishing rules when providing for increased fares and charges (exclusive of commutation fares) as set forth in the petition in the following manner:

(a) By publication and filing of a master tariff of increased fares and charges.

(b) By publication and filing of connecting link supplements to one or more tariffs connecting such tariff or tariffs with the master tariff of increased fares and charges.

(c) By publication and filing of tariffs or supplements of specific increased fares and charges.

(d) By publication and filing by carriers of individual or blanket supplements to their local tariffs containing conversion table.

2. Connecting link supplements authorized herein shall be exempt from the Commission's tariff-publishing rules relating to the number of supplements and volume of supplemental matter permitted until further ordered. All other relief from the Commission's tariff-publishing rules authorized herein shall continue until further ordered.

No. 233—7

3. (1) Master tariffs, supplements thereto, and supplements to tariffs which are issued in short form method shall bear notation reading substantially as follows:

The form of this publication is permitted by authority of Interstate Commerce Commission Permission No. 70982 of November 26, 1956.

(2) Other tariffs or supplements containing specific increased fares or charges shall bear notation reading:

This publication is issued under authority of Interstate Commerce Commission Permission No. 70982 of November 26, 1956.

4. Outstanding orders of the Commission are modified only to the extent necessary to permit the filing of tariffs containing the proposed increased fares and charges, which tariffs will be subject to protest, suspension, or rejection.

And it is further ordered, That a copy of this order be filed with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER as notice to interested parties.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[P. R. Doc. 56-9797; Filed, Nov. 29, 1956;
8:47 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF NOVEMBER 27, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 32960: *Citrus fruit from Florida to the West and Southwest.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on citrus fruit, viz: grapefruit, oranges, tangerines, lemons, limes, and kumquats, carloads from points in southern territory to points in southwestern and western trunk-line territories.

Grounds for relief: Motor truck competition and circuitry.

Tariff: Supplement 92 to Agent Spaninger's tariff I. C. C. 1211.

FSA No. 32961: *Liquefied petroleum gas from the Southwest to the South.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads from points in Kansas, Oklahoma, and Texas to points in southern territory.

Grounds for relief: Circuitry and grouping.

Tariff: Supplement 95 to Agent Kratzmeir's tariff I. C. C. 4118.

FSA No. 32962: *Bituminous coal from Kentucky to Logansport, Ind.* Filed by R. G. Raasch, Agent, for interested rail carriers. Rates on bituminous coal and coal briquettes, carloads from mines in western Kentucky to Logansport, Ind.

Grounds for relief: Rail carrier competition and circuitry.

Tariff: Supplement 37 to Illinois Central Railroad Tariff I. C. C. E-1850. Supplement 115 to Agent Spaninger's tariff I. C. C. No. 1224.

plemen 115 to Agent Spaninger's tariff I. C. C. No. 1224.

FSA No. 32963: *Fertilizer from the Southwest to the South.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on fertilizer and fertilizer materials, carloads from points in southwestern territory to points in southern territory.

Grounds for relief: Circuitous route.

Tariff: Supplement 173 to Agent Kratzmeir's I. C. C. 4112.

FSA No. 32964: *Dried fruits from Pacific Coast to New Orleans, La.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on dried fruits, carloads from Pacific Coast points to New Orleans, La.

Grounds for relief: Rail carrier competition and circuitry.

Tariff: Supplement 45 to Agent Prueter's I. C. C. 1574.

FSA No. 32965: *Beans, peas, and lentils—Pacific Coast to Memphis, and New Orleans.* Filed by W. J. Prueter, Agent, for interested rail carriers. Rates on dried beans, peas, and lentils, carloads from South Pacific Coast points to Memphis, Tenn., and New Orleans, La.

Grounds for relief: Circuitous routes and grouping.

Tariff: Supplement 45 to Agent Prueter's I. C. C. 1574.

FSA No. 32967: *Glycerine from Texas to Official Territory.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on glycerine, other than crude, carloads from Dallas, Houston, and Velasco, Texas to points in New Jersey, New York, and West Virginia.

Grounds for relief: Short-line distance formula and circuitry.

Tariff: Supplement 270 to Agent Kratzmeir's I. C. C. 4139.

FSA No. 32968: *Rubber from Baton Rouge and North Baton Rouge, La., to Official Territory.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on rubber, artificial, synthetic or neoprene, crude, carloads from Baton Rouge and North Baton Rouge, La., to Maspeth, N. Y., Lebanon, Pa., and Brookville, Ind.

Grounds for relief: Short-line distance formula and circuitry.

FSA No. 32969: *Rubber from Baton Rouge and North Baton Rouge, La.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on rubber, artificial, synthetic or neoprene, crude, carloads from Baton Rouge and North Baton Rouge, La., to Long Beach, N. J.

Grounds for relief: Short-line distance formula and circuitry.

FSA No. 32970: *Sodium phosphates from eastern points to West Point, Miss.* Filed by The St. Louis-San Francisco Railway Company for itself and interested rail carriers. Rates on di-sodium phosphate, tri-sodium phosphate, or phosphate of sodium (soda), carloads from Camden and Newark, N. J., Chester, Marcus Hook, and Morrisville, Pa., and North Claymont, Del., to West Point, Miss.

Grounds for relief: Rail carrier competition and circuitry.

FSA No. 32971: *Scrap paper between the South and Illinois Territory.* Filed by The St. Louis-San Francisco Railway Company, for itself and interested rail

carriers. Rates on paper, scrap or waste, carloads between points in southern territory, on the one hand, and points in Illinois Freight Association territory and Ohio River Crossings, on the other.

Grounds for relief: Rail carrier competition and circuitry.

FSA No. 32972: *Soybeans from Choat and Mermet, Ill., to Louisiana.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on soybeans, carloads from Choat and Mermet, Ill., to Baton Rouge and New Orleans, La.

Grounds for relief: Rail carrier competition and circuitry.

FSA No. 32973: *Aluminum from Chalmette and New Orleans, La., to Chicago, Ill.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on aluminum ingots and pigs, carloads from Chalmette and New Orleans, La., to Chicago, Ill., and points grouped therewith.

Grounds for relief: Rail carrier competition and circuitry.

FSA No. 32974: *Liquefied petroleum gas from Kentucky and West Virginia to Rocky Mount, N. C.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on liquefied petroleum gas, carloads from Catlettsburg, Ky., Hubball and Kermit, W. Va., to Rocky Mount, N. C.

Grounds for relief: Rail carrier competition and circuitry.

Tariff: Supplement 1 to Agent Spaninger's I. C. C. 1561.

FSA No. 32975: *Liquefied petroleum gas from Kentucky and West Virginia to North Carolina.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on liquefied petroleum gas, carloads from Catlettsburg, Ky., Hubball and Kermit, W. Va., to Cherry Point and Havelock, N. C.

Grounds for relief: Rail carrier competition and circuitry.

Tariff: Supplement 1 to Agent C. A. Spaninger's I. C. C. 1561.

FSA No. 32976: *Benzol from Alabama to Louisiana.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on benzol (benzene), tank-car loads from Birmingham, Fairfield, North Birmingham, Pratt City, Tarrant, Thomas, and Woodward, Ala., to Baton Rouge and North Baton Rouge, La.

Grounds for relief: Market competition.

Tariff: Supplement 1 to Agent C. A. Spaninger's I. C. C. 1561.

FSA No. 32977: *Petroleum from Pensacola, Fla., to Opelika, Ala.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on petroleum and petroleum products tank-car loads from Pensacola, Fla., to Opelika, Ala.

Grounds for relief: Circuitous routes.

Tariff: Supplement 1 to Agent C. A. Spaninger's I. C. C. 1561.

FSA No. 32978: *Petroleum products from Duncan, Ala., to Cedartown, Ga.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on Petroleum products, carloads, from Duncan, Ala., to Cedartown, Ga.

Grounds for relief: Circuitous route.

Tariff: Supplement 1 to Agent C. A. Spaninger's I. C. C. 1561.

FSA No. 32979: *Petroleum from Jacksonville, Fla., to Douglas, Ga.* Filed by

O. W. South, Jr., Agent, for interested rail carriers. Rates on petroleum and petroleum products, tank-car loads from Jacksonville, Fla., and points grouped therewith to Douglas, Ga.

Grounds for relief: Circuitous routes. Tariff: Supplement 1 to Agent C. A. Spaninger's I. C. C. 1561.

AGGREGATE-OF-INTERMEDIATES

FSA No. 32966: *Petroleum products from Superior, Wis., to Minnesota.* Filed by The Duluth, Missabe and Iron Range Railway Company, for itself and interested rail carriers. Rates on gasoline and refined oils, tank-car loads from Superior, Wis., to points in Minnesota.

Grounds for relief: Motor truck competition.

Tariff: Duluth, Missabe and Iron Range Railway Tariff I. C. C. No. A-140.

By the Commission.

[SEAL] HAROLD D. McCOY,
Secretary.

[F. R. Doc. 56-9801; Filed, Nov. 29, 1956; 8:47 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 28, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 32980: *Alcohol from Louisville, Ky., to Philadelphia, Pa.* Filed by O. E. Schultz, Agent, for interested rail carriers. Rates on alcohol, in bond, and ethyl alcohol, partially denatured, carloads from Louisville, Ky., to Philadelphia, Pa.

Grounds for relief: Water competition.

Tariff: Supplement 208 to Agent H. R. Hirsch's I. C. C. 4542.

FSA No. 32981: *Grain and grain products to Gulf Ports.* Filed by W. J. Pruefer, Agent, for interested rail carriers. Rates on grain, grain products, seeds, and related articles, carloads from points in western trunk-line, Illinois Freight Association, and southwestern territories.

Grounds for relief: Rail carrier competition, circuitry, grouping, and port equalization.

FSA No. 32982: *Vegetables from Florida to the Southwest.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on vegetables, carloads from points in Florida to points in southwestern territory.

Grounds for relief: Short-line distance formula, circuitry, grouping, and motor truck competition.

Tariff: Supplement 71 to Agent C. A. Spaninger's I. C. C. 1402.

FSA No. 32983: *Plaster from Indiana to Arkansas and Missouri.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on gypsum plaster and related articles, and gypsum wallboard, carloads from East Shoals and Willow

Valley, Ind., to points in Arkansas and southern Missouri.

Grounds for relief: Rail carrier competition, circuitry, and market competition.

Tariff: Supplement 27 to Agent Kratzmeir's I. C. C. 4149.

FSA No. 32984: *Fullers earth from Florida and Georgia to Boyne City, Mich.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on clay, viz: Fullers earth, carloads from Jamieson, Magnet Cove, Quincy, Fla., Attapulgus, Faceville, Quality, and Rodenberg, Ga., to Boyne City, Mich.

Grounds for relief: Short-line distance formula, circuitry, and grouping.

Tariff: Supplement 50 to Agent C. A. Spaninger's I. C. C. 1491.

FSA No. 32985: *Fullers earth from Florida and Georgia to Montague, Mich.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on clay, viz: Fullers earth, carloads, from Jamieson, Magnet Cove, Quincy, Fla., Attapulgus, Faceville, Quality, and Rodenberg, Ga., to Montague, Mich.

Grounds for relief: Short-line distance formula, circuitry, and grouping.

Tariff: Supplement 50 to Agent C. A. Spaninger's I. C. C. 1491.

FSA No. 32986: *Newsprint paper from Mobile, Ala., to Columbus, Miss.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on newsprint paper, carloads from Mobile, Ala., to Columbus, Miss.

Grounds for relief: Rail carrier competition and circuitry.

Tariff: Supplement 59 to Agent C. A. Spaninger's I. C. C. 1466.

FSA No. 32987: *Newsprint paper from Mobile, Ala., to Florida.* Filed by O. W. South, Jr., Agent, for interested rail carriers. Rates on Newsprint paper, carloads from Mobile, Ala., to Miami, St. Petersburg, and Tampa, Fla.

Grounds for relief: Rail carrier competition, circuitry, and market competition.

Tariff: Supplement 59 to Agent Spaninger's I. C. C. 1466.

FSA No. 32988: *Scrap iron in official territory.* Filed by The Pennsylvania Railroad Company, for itself and interested rail carriers. Rates on scrap iron, carloads between points in official territory.

Grounds for relief: Circuitous routes.

Tariff: The Pennsylvania Railroad Company's tariffs I. C. C. Nos. 3521 and 3524.

FSA No. 32989: *Starch from St. Louis-East St. Louis to the South.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on starch or dextrine, carloads from St. Louis, Mo., and East St. Louis, Ill., to points in Florida, Georgia, and South Carolina.

Grounds for relief: Rail carrier competition and circuitry.

FSA No. 32990: *Rates from, to, and by way of Perkins, Ark.* Filed by F. C. Kratzmeir, Agent, for interested rail carriers. Rates on all commodities, carload or less-than-carload between Perkins, Ark., on the one hand, and interstate points, on the other; also between interstate points over routes by way of Perkins, Ark.

Grounds for relief: Rail carrier competition, circuitry, grouping, and opening of a new route and new station.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 56-9844; Filed, Nov. 30, 1956;
8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

FRANZ ERNSTBRUNNER ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Franz Ernstbrunner, \$95.40 in the Treasury of the United States.

Maria Ernstbrunner (Miss), \$95.40 in the Treasury of the United States.

Josef Ernstbrunner, \$95.40 in the Treasury of the United States.

Walburga Ernstbrunner, Bruderndorf, Austria, \$95.40 in the Treasury of the United States.

Alois Ernstbrunner, Riegers, Austria, \$95.40 in the Treasury of the United States.

Karl Weber, \$79.50 in the Treasury of the United States.

Franz Weber, \$79.50 in the Treasury of the United States.

Alois Faltin, Nondorf, Austria, \$79.50 in the Treasury of the United States.

Walburga Weber, Bruderndorf, Austria, \$79.50 in the Treasury of the United States.

Maria Katzenbeisser, Hoermanns, Austria, \$79.50 in the Treasury of the United States.

Rembert Steinbrunner, \$26.50 in the Treasury of the United States.

Paula Moerzinger, \$26.50 in the Treasury of the United States.

Franz Faltin, Nondorf, Austria, \$26.50 in the Treasury of the United States.

Maria Minixhofer, \$89.44 in the Treasury of the United States.

Maria Ernstbrunner (Mrs.), Riegers, Austria, \$387.55 in the Treasury of the United States.

Claim No. 63240, Vesting Order No. 4258.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9854; Filed, Nov. 30, 1956;
8:48 a. m.]

ANNA BECCADILLI DI BOLOGNA ET AL.

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following

property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Anna Beccadilli di Bologna, Princess Castelcicala, Palermo, Italy, Claim No. 42540, Alexander A. Kingsland, Rome, Italy, Claim No. 42954, \$6,075.15 in the Treasury of the United States, 1/3d thereof to Anna Beccadilli di Bologna, Princess Castelcicala, and the remaining 2/3ds to Alexander A. Kingsland, Vesting Order No. 1090.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9855; Filed, Nov. 30, 1956;
8:48 a. m.]

JEAN BAPTISTE PAUL VAU

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property

Jean Baptiste Paul Vau, Saint-Ouen (Seine), France, Claim No. 41462, Vesting Order No. 666, property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943) relating to U. S. Letters Patent Nos. 2,196,346 and 2,207,041.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9856; Filed, Nov. 30, 1956;
8:48 a. m.]

CHIZUKO AND SEIJI AKATA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Chizuko Akata, Tokyo, Japan, Claim Number 27463, Vesting Orders Nos. 1501 and 9271, \$20.78 in the Treasury of the United States.

Seiji Akata, A. P. O. 500, San Francisco, California, Claim Number 27464, Vesting Orders Nos. 1501 and 9271, \$16.22 in the Treasury of the United States.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9857; Filed, Nov. 30, 1956;
8:48 a. m.]

PARFUMERIE ROGER & GALLET

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim No. and Property

Parfumerie Roger & Gallet, Paris, France, Claim No. 43882, Vesting Order No. 255, property described in Vesting Order Number 255 (7 Fed. Reg. 8908, November 3, 1942), relating to United States Trademark Registration No. 161,581.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9858; Filed, Nov. 30, 1956;
8:48 a. m.]

MRS. P. VAN BEVEREN-VAN BEEK

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Mrs. P. van Beveren-van Beek, Thorbeckelaan 681, s'Gravenhage, The Netherlands, Claim No. 61426, Vesting Order No. 17947, \$262.82 in the Treasury of the United States.

Executed at Washington, D. C., on November 26, 1956.

For the Attorney General.

[SEAL] PAUL V. MYRON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 56-9859; Filed, Nov. 30, 1956;
8:48 a. m.]

[Vesting Order SA-151]

DEUTSCH'SCHE STEINBRUCHER MALZFABRIK,
A. G.

In re: Debt owing to Deutsch'sche Steinbrucher Malzfabrik, A. G.; F-34-84, P-28-3366.

Under the authority of Title II of the International Claims Settlement Act of 1949, as amended (69 Stat. 562), Executive Order 10644, November 7, 1955 (20 F. R. 8363), Department of Justice Order No. 106-55, November 23, 1955 (20 F. R. 8993), and pursuant to law, after investigation, it is hereby found and determined:

1. That the property described as follows: That certain debt or other obligation of Chemical Corn Exchange Bank, 165 Broadway, New York 15, New York, arising out of an account entitled, "Ungarische Filiale Der Creditanstalt-Bankverein, Budapest, Hungary, Blocked Custodian Cash Account, No. C-80095," maintained at the aforesaid bank, together with any and all rights to demand, enforce and collect the same,

is property within the United States which was blocked in accordance with

Executive Order 8389, as amended, and remained blocked on August 9, 1955, and which is, and as of September 15, 1947, was, owned directly or indirectly by Deutsch'sche Steinbrucher Malzfabrik, A. G., Budapest, Hungary, a national of Hungary as defined in said Executive Order 8389, as amended.

2. That the property described herein is not owned directly by a natural person.

There is hereby vested in the Attorney General of the United States the property described above, to be administered, sold, or otherwise liquidated, in accordance with the provisions of Title II of the International Claims Settlement Act of 1949, as amended.

It is hereby required that the property described above be paid, conveyed, transferred, assigned and delivered to or for the account of the Attorney General of the United States in accordance with directions and instructions issued by or for the Assistant Attorney General, Director, Office of Alien Property, Department of Justice.

The foregoing requirement and any supplement thereto shall be deemed instructions or directions issued under

Title II of the International Claims Settlement Act of 1949, as amended. Attention is directed to section 205 of said Title II (69 Stat. 562) which provides that:

Any payment, conveyance, transfer, assignment, or delivery of property made to the President or his designee pursuant to this title, or any rule, regulation, instruction, or direction issued under this title, shall to the extent thereof be a full acquittance and discharge for all purposes of the obligation of the person making the same; and no person shall be held liable in any court for or in respect of any such payment, conveyance, transfer, assignment, or delivery made in good faith in pursuance of and in reliance on the provisions of this title, or of any rule, regulation, instruction, or direction issued thereunder.

Executed at Washington, D. C., on November 27, 1956.

For the Attorney General.

[SEAL] DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 56-9860: Filed, Nov. 30, 1956;
8:48 a.m.]